

Exhibit A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

T.E., et. al.,

Plaintiffs,

v.

PINE BUSH CENTRAL SCHOOL
DISTRICT, et. al.,

Defendants.

12-CV-2303 (KMK)(PED)

STIPULATION OF SETTLEMENT, SETTLEMENT AGREEMENT

AND GENERAL RELEASE

WHEREAS, T.E., by her next friend and parent, Sherri Eccleston; O.C. and D.C., by their next friend and parent, David Cohen; A.R. and D.R., by their next friend and parent, Jerrold Rosen, (“Plaintiffs”) brought the above-captioned action, alleging violations of, *inter alia*, Title VI of the Civil Rights Act of 1964 and the Equal Protection Clause of the United States Constitution;

WHEREAS Plaintiffs and Pine Bush Central School District; Pine Bush Central School District Board Of Education (together with the Pine Bush Central School District, the “District”); Phillip Steinberg, former Superintendent of Pine Bush Central School District, in his official and individual capacities; Eric Winter, Principal of Pine Bush Elementary School and former Assistant Principal of Crispell Middle School, in his individual capacity; Steve Fisch, former Principal of Pine Bush Elementary School, in his individual capacity; and Robert Peters, former Assistant Principal of Crispell Middle School, in his individual capacity (Messrs. Steinberg, Winter, Fisch and Peters are referred to as the “Individual Defendants” and together with the District as “Defendants”) participated in mediation on May 29, 2015, June 8, 2015 and June 9, 2015;

WHEREAS, Defendants, individually and collectively, deny any liability arising from Plaintiffs' allegations;

WHEREAS, the parties wish to resolve matters relating to Plaintiffs' claims without the need for protracted and expensive litigation over the claims or the defenses to those claims;

WHEREAS, this Settlement Agreement and General Release (the "Agreement") is made and entered into by and between Plaintiffs and Defendants effective as of June 9, 2015;

In consideration of the mutual promises contained herein, fully intending to be legally bound hereby, the parties agree as follows:

1. No later than 30 days after Court approval of the Settlement Agreement, Defendants will deliver a check to Ilann M. Maazel, Esq., Emery Celli Brinckerhoff & Abady, 600 Fifth Avenue, 10th Floor, New York, New York 10020, payable to "Emery Celli Brinckerhoff & Abady LLP, as attorneys for Plaintiffs," for a total lump sum of Four Million Four Hundred and Eighty Thousand dollars and zero cents (\$4,480,000.00) (the "Settlement Amount") (representing \$3,000,000 in compensatory damages, including all claims for physical injury, and \$1,480,000 in reasonable attorneys' fees and costs) in complete and final settlement of any and all claims Plaintiffs have against Defendants, including, but not limited to, any action arising out of the allegations raised by Plaintiffs in its Amended Complaint filed in the United States District Court, Southern District of New York against Defendants.

2. For and in consideration of the Settlement Amount paid to Plaintiffs by or on behalf of Defendants as more fully described in Paragraph 1 above, and for other good and valuable consideration, Plaintiffs hereby waive, release and forever discharge, Defendants, and its past and present board members, employees, attorneys, and agents, in both their official and individual capacities (the "Released Persons"), from any and all actions, suits, debts, sums of

money, controversies, trespasses, claims, demands, and causes of action of any kind or nature whatsoever, known or unknown, made or which could have been made, suspected or unsuspected, fixed and contingent, at law or in equity, which Plaintiffs have against Defendants or may have had against Defendants prior to the date of the execution of this Settlement Agreement and General Release, or which they or their heirs, executors, administrators, agents and assigns, may have for, upon, or by reason of any matter, cause or thing whatsoever based on, arising out of, resulting from, or in any way connected, directly or indirectly with Plaintiffs' education (hereinafter referred to as the "Released Claims"). It is also understood and agreed that this settlement agreement shall be executed by Sherri Eccleston, as parent and natural guardian of T.E., a minor child and David Cohen, as parent and natural guardian of O.C., a minor child. It is further represented and warranted that Sherri Eccleston and David Cohen have the legal capacity and authority to fully settle and resolve all claims against the above-named persons and entities on behalf of T.E. and O.C., respectively. The parties agree to take all necessary steps in a cooperative manner pursuant to Local Rule 83.2 (a) in order to obtain leave of the Court on behalf of the two minor plaintiffs.

3. Defendants agree to the injunctive relief set forth in Exhibit 1 hereto.

4. In consideration of the settlement amount, and after the Court has approved the settlement on behalf of the two minor plaintiffs, Plaintiffs shall voluntarily dismiss with prejudice, by submitting a Proposed Order, this action against Defendants. The Proposed Order shall be filed with the Court no later than two business days after delivery of the Settlement Amount. It is understood and agreed that the withdrawal of the action as to the Individual Defendants shall be complete and unconditional and they shall not have any individual responsibility to carry out any of the requirements of this agreement, except (to the extent applicable) as employees of Pine Bush Central School District.

5. This Settlement Agreement and General Release shall not be construed as an admission of any fault or liability by Defendants, or any entity or individual referenced in Paragraph 2 of this Settlement Agreement and General Release for any of the acts or omissions alleged by Plaintiffs, or for any acts or omissions which could have been alleged. Defendants and any entity or individual referenced in Paragraph 2 of this Settlement Agreement and General Release specifically deny any liability whatsoever, and specifically deny any wrongful conduct for any damages, injuries or other claims by Plaintiffs.

6. Additionally, the parties agree that the Settlement Amount will not be publicized, except to the extent this section is prohibited by applicable ethics rules. The parties agree to issue the Joint Statement, a copy of which is incorporated by reference herein and attached as Exhibit 2. The parties further agree not to publicize any portion of this Settlement Agreement and General Release until the following conditions have been met: 1) all parties have signed this agreement; and 2) the Court has approved this Settlement Agreement and General Release.

7. This Settlement Agreement and General Release contains the sole and the entire agreement between Plaintiffs and Defendants and fully supersedes any and all prior or contemporaneous agreements and understandings pertaining to the subject matter hereof. Plaintiffs represent and acknowledge that, in executing this Settlement Agreement and General Release, they have not relied upon any representation or statement not set forth herein which may have been made by Defendants with regard to the subject matter of this Settlement Agreement and General Release. No other promises or agreements shall be binding unless in writing, signed by all the Parties hereto and expressly stated to be a modification of this Settlement Agreement and General Release. This Settlement Agreement and General Release may not be changed or modified except by a writing signed by Plaintiffs and Defendants.

8. Should any clause of this Settlement Agreement and General Release be found to be in violation of law, or ineffective or barred for any reason whatsoever, the remainder of the Settlement Agreement and General Release shall remain in full force and effect; provided, however, that if any release, waiver or agreement set forth in this Settlement Agreement and General Release is declared to be invalid, illegal or unenforceable in whole or in part, the Parties shall have the right to elect to consider their obligations under this Settlement Agreement and General Release to be nullified.

9. This Settlement Agreement and General Release shall be subject to approval of the Defendant Pine Bush Central School District Board of Education. No later than June 12, 2015, the Board will meet to vote on this Settlement Agreement. Should the Board not approve the Settlement Agreement, all provisions of the Settlement Agreement and General Release shall be null and void, and the trial will proceed as currently scheduled by the Court.

10. This Settlement Agreement and General Release shall be construed in accordance with New York law without reference to its principles of conflicts of law.

11. This Agreement may be signed by the parties on counterparts. Emailed or faxed signatures shall be considered the equivalent of an original signature.

12. The parties agree that the Court will retain jurisdiction during the duration of the Settlement Agreement to address any material breach in the implementation of the terms of this Settlement Agreement. The Parties agree that the United States District Court, Southern District of New York, shall be the sole and exclusive forum to enforce this Settlement Agreement. This Settlement Agreement will continue until August 31, 2018.

T.E.

BY: 
SHERRI ECCLESTON

O.C.

BY: _____
DAVID COHEN

DAKOTA COHEN

ALEXANDER ROSEN

DREW ROSEN

PINE BUSH CENTRAL SCHOOL DISTRICT

BY: _____
JOAN CARBONE
Superintendent

BY: _____
SHERRI ECCLESTON

O.C.

BY: _____
DAVID COHEN

David Cohen
DAKOTA COHEN

ALEXANDER ROSEN

DREW ROSEN

PINE BUSH CENTRAL SCHOOL DISTRICT

BY: _____
JOAN CARBONE
Superintendent

BY: _____
SHERRI ECCLESTON

O.C.

BY: 
DAVID COHEN

DAKOTA COHEN

ALEXANDER ROSEN

DREW ROSEN

PINE BUSH CENTRAL SCHOOL DISTRICT

BY: _____
JOAN CARBONE
Superintendent

BY: _____
SHERRI ECCLESTON

O.C.

BY: _____
DAVID COHEN

DAKOTA COHEN



ALEXANDER ROSEN



DREW ROSEN

PINE BUSH CENTRAL SCHOOL DISTRICT

BY: _____
JOAN CARBONE
Superintendent

PINE BUSH CENTRAL SCHOOL DISTRICT
BOARD OF EDUCATION

BY: _____

Title

PHILIP G. STEINBERG

ERIC WINTER

STEVE FISCH

ROBERT PETERS

BY: _____
SHERRI ECCLESTON

O.C.

BY: _____
DAVID COHEN

DAKOTA COHEN

ALEXANDER ROSEN

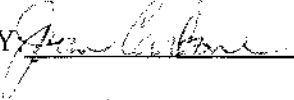
DREW ROSEN

PINE BUSH CENTRAL SCHOOL DISTRICT

BY: 

JOAN CARBONE
Superintendent

PINE BUSH CENTRAL SCHOOL DISTRICT
BOARD OF EDUCATION

BY 

Title



PHILIP G. STEINBERG



ERIC WINTER



STEVE FISCH



ROBERT PETERS

Exhibit 1

I. Introduction

The District will take action, in accordance with Title VI, its implementing regulations, and the United States Department of Education Office of Civil Rights (“OCR”) Guidance, to eliminate and prevent future instances of anti-Semitic harassment in its education programs and activities. To accomplish this, the District agrees to make all necessary and appropriate revisions to its harassment policies, appropriately and immediately respond to all conduct that may constitute anti-Semitic harassment, ensure it fully investigates reported and observed conduct that may constitute anti-Semitic harassment, escalate remedial efforts by instituting additional measures when students are harassed on a repeated basis, and mitigate the effects of harassment that occurs. The District will also take proactive measures to address anti-Semitic incidents and issues in the school climate that have arisen or may arise from and/or contribute to a hostile educational environment.

II. District Policies and Procedures

- A. By January 1, 2016, the District will review and revise its policies regarding discrimination, bullying and anti-harassment to ensure that the District’s policies cover anti-Semitic harassment. The policies to be reviewed will include: Policy 3420 – Non-discrimination and Anti-harassment Policy in School District; Policy 7552 – Bullying, Peer Abuse in the Schools and Policy 7554 – Dignity for All Students Act; and the District’s Code of Conduct. See Attachment A for current policies.
- B. In reviewing its policies regarding discrimination, bullying and anti-harassment, the District will ensure that the policies include the following:
 1. specify that all harassment, including anti-Semitic harassment, is prohibited in the District;
 2. include examples of the types of harassment prohibited by the District’s policies, including specific examples of prohibited anti-Semitic harassment;
 3. include a zero indifference provision to address name-calling and bullying;
 4. include a provision regarding the No Place for Hate Committee (See Section III);
 5. require that District personnel promptly and thoroughly investigate, address and respond appropriately to harassment incidents in accordance with Title VI, its implementing regulations, and OCR Guidance, whether reported, observed, or brought to the District personnel’s attention by any other means. (See Section VI);
 6. require that District personnel promptly photograph and completely remove

all anti-Semitic graffiti located on any school property;

7. publicize to students and families the job description, contact information, including address, phone number and e-mail, for the District's Title VI Coordinator (See Section VII);
8. notify the parent(s)/guardian(s) of the harassed student(s) and the harassing student(s) of all incidents of anti-Semitic harassment reported to or observed by District personnel in the middle schools and high school;
9. provide for the establishment and enforcement of meaningful, consistent, minimum consequences for all anti-Semitic and other forms of harassment and for consequences to increase in severity for repeated harassment, such that the minimum consequence is an age-appropriate detention and an educational component (essay, apology, etc.);
10. require that the District report and track all harassment incidents in accordance with VADIR and OCR/CRDC requirements;
11. provide that the District implement a system for reporting and maintaining records of complaints, records of investigations and responses to allegations of harassment, including providing a code for anti-Semitic harassment, requiring that each act of anti-Semitic harassment be reported as such, and tracking and keeping annual statistics of the total number of anti-Semitic incidents occurring each school year, by school and grade;
12. require professional development regarding the policies listed in Section II; and
13. provide, at the beginning of each school year, for the dissemination of a letter to the parents of all District students explaining that bullying and harassment, including anti-Semitic harassment, will not be tolerated in the District and explaining the applicable guidelines and minimum and maximum disciplinary consequences (up to and including long-term out of school suspension) for such conduct.

III. No Place for Hate Committee

A. Establishment of No Place for Hate Committee

During the 2013-14 school year, the District established the No Place for Hate Committee which continued to meet in the 2014-15 school year. The Committee will continue to operate for the 2015-16 school year and the No Place for Hate Committee or a similar committee will continue to operate in subsequent school years. The purpose of the No Place for Hate Committee is to assist the Pine Bush school community in developing: a deeper understanding

of how the District is addressing bias, discrimination, bullying, intimidation and harassment and the skills, knowledge and awareness regarding prejudice and bias that are necessary to promote and sustain a culture of understanding and respect among students, staff, parents and community in our school district.

B. Membership of No Place for Hate Committee

The District solicited membership for the No Place for Hate Committee from all of the buildings in the District and from the community. The Committee is led by the Superintendent or designee and is composed of a Board member, teachers and administrators from all schools in the District and a community member.

C. Development of Annual Plan

During the 2013-14 school year, the No Place for Hate Committee developed a plan to be implemented during the 2015-16 school year. See Attachment B. The plan is considered a “living document” that can be revised and updated during the 2015-16 school year and in subsequent school years. The plan has 3 key goals:

- Student Goal: “To develop a comprehensive, consistent and coordinated student education plan that will promote diversity and prevent bullying for all students within the seven schools of the Pine Bush Central School District.”
- Staff/Teacher Goal: “To help all adults within the Pine Bush Central School District community recognize bias and the harm it inflicts on individuals and society; explore the value of diversity; improve intergroup relations; and combat racism, anti-Semitism and all forms of prejudice and bigotry.”
- Pine Bush Central School District Community Goal: “To engage the Pine Bush Central School District community in a collaborative approach to prepare our students to live and work successfully in a diverse society.”

D. Review of Implementation of Annual Plan

1. The No Place for Hate Committee shall review the implementation of the plan annually and shall provide a written annual report to the Superintendent regarding the results of its review of the plan. The Superintendent shall provide the annual report to the Board in an open meeting.
2. Based on the annual review, the No Place for Hate Committee shall develop a plan for the following school year.

IV. Curriculum

As explained in the annual plan, the District will continue to implement a curriculum for all students at the District level and at each school to promote diversity and prevent bullying, as set forth in Attachment C.

V. Professional Development

- A. As required by the annual plan in Section III, the District will continue to require professional development for all staff and teachers at the District level and at each school, as well as all students at each District school. See Attachment B.
- B. The District will provide mandatory professional development on the policies regarding harassment, discrimination or bullying provided in Section II of this Settlement Agreement. This shall include how to recognize and report anti-Semitic graffiti, name-calling, insults, Holocaust “jokes,” and other forms of anti-Semitic harassment such as change-throwing. It also shall include professional development regarding complaint and grievance procedures and the procedures for reporting and investigating alleged bullying, discrimination and harassment, including alleged anti-Semitic harassment. The District will take additional and appropriate action for any District staff or teacher who does not follow the policies and procedures set forth in Section II of this Settlement Agreement, including discipline and professional development, to the extent consistent with applicable laws and collective bargaining agreements.
- C. Annually, the District will review the effectiveness of the professional development plan, and based on this review, the District will revise its professional development plan if necessary, consistent with best practices, for all students, District employees, and others who regularly interact with students in the District (e.g., bus drivers, substitute teachers, and volunteers).

VI. Reporting and Investigations

Annually, the District will review and revise its complaint and grievance procedures and its procedures for reporting and investigating alleged bullying, discrimination and harassment, including alleged anti-Semitic harassment. In reviewing its procedures, the District will ensure that investigations include speaking privately with each of the students who are alleged to have been the victim(s) and perpetrator(s) of the harassment, interviewing other staff and students who may have witnessed the harassment, and gathering and preserving any relevant physical evidence (e.g. text messages, textbooks, photos of graffiti, etc.). In addition, the District shall ensure that the procedures require that, following the completion of any investigation, regardless

of the outcome, the District follows up with the alleged victims to inform the victims of the results of the investigation, to offer counseling services, and to inquire whether there has been new or additional harassment. Finally, the District's procedures will require that the District maintain clear records documenting the complaint, the investigation undertaken, and the results of such investigation and that the District maintain records in such a way that the District can easily locate, review, and report on the total number of anti-Semitic and other forms of harassment, as well as the outcome in such cases.

VII. Title VI Coordinator

A. Role and Selection of Title VI Coordinator

The District will designate at least one employee to serve as its Title VI Coordinator and will prepare a job description that clearly describes the role and responsibilities. The Title VI Coordinator's responsibilities will include investigation of any allegations covered by Title VI. The District will ensure that the Title VI Coordinator has appropriate qualifications, training, and professional development to carry out the role of the Title VI Coordinator.

B. Notice for staff, parents and students

The District shall disseminate the name, job description, and contact information for the person designated as the Title VI Coordinator through a variety of means so that students, Pine Bush staff and the Pine Bush community are aware of the person designated as the Title VI Coordinator.

VIII. Anti-Bullying Survey

Beginning in the 2015-16 school year and for the next three school years, the District will develop and administer an anonymous Anti-Bullying Survey (Survey") for all students starting in 6th grade. The District will ensure that the Survey includes specific questions about anti-Semitic harassment, for example, whether students have heard anti-Semitic slurs, Holocaust "jokes," the word "Jew" in a pejorative sense, or white power chants and whether students have seen Hitler salutes, people rolling or throwing pennies in conjunction with anti-Semitic epithets, or observed swastikas. A section of the Survey will include the opportunity to answer in narrative form with specific examples. The District will consult with the Anti-Defamation League ("ADL"), the Wiesenthal Center, or the Rockland County Holocaust Center for Education and Tolerance in developing the Survey to determine its effectiveness in assessing the presence and impact of harassment at each middle and high school in the District and in reviewing, analyzing and making recommendations regarding necessary changes to the District's policies and procedures.

IX. Consultants/Partners and OCR

A. The District has established partnerships at the national and local levels to assist

with addressing harassment and bullying. These include the ADL, the Wiesenthal Center, and March for the Living, the Orange County Greater Jewish Foundation, Rockland County Holocaust Center for Education and Tolerance and the New York State Center for School Safety. The District shall continue to work with some or all of these consultants and partners.

- B. For the duration of this settlement agreement, the District will consult with the ADL, the Wiesenthal Center, or the Rockland County Holocaust Center for Education and Tolerance regarding implementation of this Settlement Agreement, including addressing, preventing and responding to anti-Semitic harassment in District schools. The District will be responsible for any costs associated with the retention of the consultants.
- C. On an annual basis, for the duration of this Settlement Agreement, the District will seek technical assistance from OCR regarding the policies and procedures, professional development, and curriculum set forth in this Settlement Agreement. In consultation with OCR, the District will revise its relevant policies and procedures, professional development, and curriculum in accordance with the recommendations of OCR, unless otherwise prohibited by laws or collective bargaining agreements.

X. Mental Health Needs of Students

The District agrees that a counselor or other professional qualified to assist students with mental health concerns will be available to assist students who have mental health concerns as a result of or in connection with harassment or bullying. The District's Mental Health Committee, in consultation with the ADL, the Wiesenthal Center, or the Rockland County Holocaust Center for Education and Tolerance, will review and assess current practices in the District with regard to assisting middle and high school students who are targets of harassment, including students who may be at risk for mental health problems that include, but are not limited to, depression, anxiety, cutting and other self-injurious behaviors, and/or suicidal ideation or suicide attempts. In consultation with the ADL, the Wiesenthal Center, or the Rockland County Holocaust Center for Education and Tolerance, the District's Mental Health Committee will develop and implement a plan to effectively address, assist and respond to middle and high school students who are targets of harassment.

XI. Reporting to Plaintiffs

In July 2016 and July 2018, defendants will report in writing to plaintiffs (c/o Emery Celli) setting forth the steps they have taken to comply with this Exhibit 1 to the Settlement Agreement. The reports will be kept confidential.

Attachment A

2013

3420
1 of 5

Community Relations

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE SCHOOL DISTRICT

The Board of Education affirms its commitment to non-discrimination and recognizes its responsibility to provide an environment that is free of harassment and intimidation as required by Federal and state law. Harassment is a violation of law and stands in direct opposition to District policy. Therefore, the Board prohibits and condemns all forms of discrimination and harassment on the basis of race, color, creed, religion, national origin, political affiliation, sex, sexual orientation, age, marital status, military status, veteran status, disability, use of a recognized guide dog, hearing dog or service dog, or domestic violence victim status by employees, school volunteers, students, and non-employees such as contractors and vendors as well as any third parties who are participating in, observing, or otherwise engaging in activities subject to the supervision and control of the District.

Sexual orientation is defined as heterosexuality, homosexuality, bisexuality, or asexuality, whether actual or perceived.

The Board also prohibits harassment based on an individual's opposition to discrimination or participation in a related investigation or complaint proceeding under the anti-discrimination statutes. This policy of non-discrimination and anti-harassment will be enforced on School District premises and in school buildings; and at all school-sponsored events, programs and activities, including those that take place at locations off school premises and in another state.

It is intended that this policy apply to the dealings between or among employees with employees; employees with students; students with students; employees/students with vendors/contractors and others who do business with the School District, as well as school volunteers, visitors, guests and other third parties. All of these persons are hereinafter referred to collectively as "the named group."

For purposes of this policy, harassment shall mean communication (verbal, written or graphic) and/or physical conduct based on an individual's actual or perceived race, color, creed, religion, national origin, political affiliation, sex, sexual orientation, age, marital status, military status, veteran status, disability, use of a recognized guide dog, hearing dog or service dog or domestic violence victim status that:

- a) Has the purpose or effect of substantially or unreasonably interfering with an individual's work performance or is used as a basis for employment decisions (including terms and conditions of employment) affecting such individual; and/or creates an intimidating, hostile or offensive work environment;
- b) Has the purpose or effect of substantially or unreasonably interfering with a student's academic performance or participation in an educational or extracurricular activity, or creates an intimidating, hostile or offensive learning environment; and/or effectively bars the student's access to an educational opportunity or benefit;
- c) Otherwise adversely affects the employment and/or educational opportunities and benefits provided by the District.

(Continued)

2013

3420
2 of 5

Community Relations

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

Complaints and Grievances by Employees

In accordance with the provisions of General Municipal Law and the collective bargaining agreements, all District personnel shall have the opportunity to present their complaints or grievances free from interference, coercion, restraint, discrimination or reprisal. The District shall provide at least two (2) procedural stages and an appellate stage for the settlement of any grievance.

Complaints or grievances not covered under employee contracts shall be handled and resolved, whenever possible, as close to their origin as possible. The Superintendent is responsible for implementing regulations for the redress of complaints or grievances through proper administrative channels.

Complaints and Grievances by Students

While students have the responsibility to abide by the policies and regulations of the District, they shall also be afforded opportunity to present complaints and grievances free from interference, coercion, restraint, discrimination or reprisal.

Administration shall be responsible for establishing rules and regulations for the redress of complaints or grievances through proper administration channels. In addition, the administration shall be responsible for developing an appeals process, ensuring that students have full understanding and access to these regulations and procedure, and providing prompt consideration and determination of student complaints and grievances.

Investigation of Complaints and Grievances

The School District will act to promptly investigate all complaints, either verbal or written, formal or informal, of allegations of harassment based on any of the characteristics described above; and will promptly take appropriate action to protect individuals from further harassment. The District will designate, at a minimum, two (2) Compliance Officers, one of each gender.

In order for the Board to enforce this policy, and to take corrective measures as may be necessary, it is essential that any employee, student, or other member of the above named group who believes he/she has been a victim of harassment in the school environment and/or at programs, activities and events under the control and supervision of the District, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence of harassment, immediately report such alleged harassment; such report shall be directed to or forwarded to the District's designated Compliance Officer(s) through informal and/or formal complaint procedures as developed by the District. Such complaints are recommended to be in writing, although verbal complaints of alleged harassment will also be promptly investigated in accordance with the terms of this policy. In the event that the Compliance Officer is the alleged offender, the report will be directed to the next level of supervisory authority.

(Continued)

2013

3420
3 of 5

Community Relations

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

Upon receipt of an informal/formal complaint (even an anonymous complaint), the District will conduct a prompt, equitable and thorough investigation of the charges. However, even in the absence of an informal/formal complaint, if the District has knowledge of any occurrence of harassment, the District will investigate such conduct promptly and thoroughly. To the extent possible, within legal constraints, all complaints will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges and/or to notify law enforcement officials as warranted, and any disclosure will be provided on a "need to know" basis. The Superintendent will inform the Board of Education of investigations involving findings of discrimination or harassment.

Based upon the results of this investigation, if the District determines that an employee and/or student has violated the terms of this policy and/or accompanying regulations, immediate corrective action will be taken as warranted. Should the offending individual be a student, appropriate disciplinary measures will be applied, up to and including suspension, in accordance with applicable laws and/or regulations, District policy and regulation, and the *District Code of Conduct*. Should the offending individual be a school employee, appropriate disciplinary measures will be applied, up to and including termination of the offender's employment, in accordance with legal guidelines, District policy and regulation, and the applicable collective bargaining agreement(s). Third parties (such as school volunteers, vendors, etc.) who are found to have violated this policy and/or accompanying regulations and/or the *Code of Conduct*, will be subject to appropriate sanctions as warranted and in compliance with law. The application of such disciplinary measures by the District does not preclude the filing of civil and/or criminal charges as may be warranted.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of harassment. Follow-up inquiries shall be made to ensure that harassment has not resumed and that all those involved in the investigation of the harassment complaint have not suffered retaliation.

Finding That Harassment Did Not Occur

At any level/stage of investigation of alleged harassment, if a determination is made that harassment did not occur, the Compliance Officer will so notify the complainant, the alleged offender and the Superintendent of this determination. Such a finding does not preclude the complainant from filing an appeal pursuant to District policy or regulation and/or pursuing other legal avenues of recourse.

However, even if a determination is made that harassment did not occur, the Superintendent/designee reserves the right to initiate staff awareness and training, as applicable, to help ensure that the school community is not conducive to fostering harassment in the workplace.

(Continued)

2013

3420
4 of 5

Community Relations

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

In all cases, the Superintendent will inform the Board of Education of the results of each investigation involving a finding that harassment did not occur.

Knowingly Makes False Accusations

Employees and/or students who *knowingly* make false accusations against another individual as to allegations of discrimination or harassment may also face appropriate disciplinary action.

Privacy Rights

As part of any investigation, the District has the right to search all school property and equipment including District computers. Rooms, desks, cabinets, lockers, computers, etc. are provided by the District for the use of staff and students, but the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

Civil Rights Compliance Officers (Title IX/Section 504/ADA Compliance Officer)

The Civil Rights Compliance Officers are as follows: the Assistant Superintendent for Instruction, the Director of Special Programs and the Assistant Director of Special Programs. The Civil Rights Compliance Officers shall be appointed by the Board and shall be responsible for providing information, including complaint procedures, and for handling complaints relative to civil rights (e.g., Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990) for any student, parent, employee or employment applicant.

Prior to the beginning of each school year, the District shall issue an appropriate public announcement which advises students, parents/guardians, employees and the general public of the District's established grievance procedures for resolving complaints of discrimination based on sex or disability. Included in such announcement will be the name, address and telephone number of the Civil Rights Compliance Officers.

The Civil Rights Compliance Officers shall also be responsible for handling complaints and grievances regarding discrimination based on race, color, creed, religion, national origin, political affiliation, sexual orientation, age, military status, veteran status, marital status, predisposing genetic characteristics, use of a recognized guide dog, hearing dog or service dog, or domestic violence victim status.

Development and Dissemination of Administrative Regulations

Regulations will be developed for reporting, investigating, and remediating allegations of harassment based on the characteristics described above. An appeal procedure will also be provided to

(Continued)

2013

3420
5 of 5

Community Relations

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

address any unresolved complaints and/or unsatisfactory prior determinations by the applicable Compliance Officer(s). Such regulations will be developed in accordance with federal and state law as well as any applicable collective bargaining agreement(s).

The Superintendent/designee(s) will affirmatively discuss the topic of harassment with all employees and students, express the District's condemnation of such conduct, and explain the sanctions for such harassment. Appropriate training and/or "awareness" programs will be established for staff and students to help ensure knowledge of and familiarity with the issues pertaining to harassment in the schools, and to disseminate preventative measures to help reduce such incidents of prohibited conduct. Furthermore, special training will be provided for designated supervisors and managerial employees, as may be necessary, for the investigation of harassment complaints.

A copy of this policy and its accompanying regulations will be available upon request and may be posted at various locations in each school building. The District's policy and regulations on anti-harassment will be published in appropriate school publications such as teacher/employee handbooks, student handbooks, and/or school calendars.

This policy should not be read to abrogate other District policies and/or regulations or the *District Code of Conduct* prohibiting other forms of unlawful discrimination, inappropriate behavior, and/or hate crimes within this District. It is the intent of the District that all such policies and/or regulations be read consistently to provide the highest level of protection from unlawful discrimination in the provision of employment/educational services and opportunities. However, different treatment of any member of the above named group which has a legitimate, legal and nondiscriminatory reason shall not be considered a violation of District policy.

Age Discrimination in Employment Act, 29 USC Section 621
Americans With Disabilities Act, 42 USC Section 12101 et seq.
Section 504 of the Rehabilitation Act of 1973, 29 USC Section 794 et seq.
Title VI of the Civil Rights Act of 1964, 42 USC Section 2000d et seq.
Title VII of the Civil Rights Act of 1964, 42 USC Section 2000e et seq.
Title IX of the Education Amendments of 1972, 20 USC Section 1681 et seq.
Civil Rights Law Section 40-c
Civil Service Law Section 75-B
Education Law Section 2801(1)
Executive Law Section 290 et seq.
Military Law Sections 242 and 243

NOTE: Refer also to Policies #6121 -- Sexual Harassment of District Personnel
#7551 -- Sexual Harassment of Students

Adopted: 2011
Revised: 9/24/12; 10/8/13

2012

7552
1 of 3

Students

SUBJECT: BULLYING IN THE SCHOOLS

The Board of Education is committed to providing a safe and productive learning environment within its schools. Bullying of a student by another student is strictly prohibited on school property, in school buildings, on school buses, and at school sponsored events and/or activities whether occurring on or off campus. The Board of Education shall require the prohibition of bullying - along with the range of possible intervention activities and/or sanctions for such misconduct - to be included in the *District Code of Conduct* for all grade levels.

For purposes of this policy, the term "bullying" among children is defined, in general, as: "a variety of negative acts carried out repeatedly over time. It involves a real or perceived imbalance of power, with a more powerful child or group attacking those who are less powerful." Bullying can take three (3) forms:

- a) Physical (including, but not limited to, hitting, kicking, spitting, pushing, taking personal belongings);
- b) Verbal (including, but not limited to, taunting, malicious teasing, name calling, making threats); and
- c) Psychological (including, but not limited to, spreading rumors; manipulating social relationships; or engaging in social exclusion, extortion, or intimidation).

Although this Policy focuses on the bullying of a student by another student, it should be noted that bullying against any individual is strictly prohibited. This includes bullying of staff members against students, students against staff members, staff members against other staff members, and bullying by or against any parents, persons in parental relation, volunteers, visitors or vendors who may be on school property or at school sponsored events as defined above.

Engages in Cyberbullying Behavior:

As with other forms of bullying, cyberbullying is an attempt to display power and control over someone perceived as weaker. Cyberbullying involving District students may occur both on campus and off school grounds and may involve student use of the District Internet system or student use of personal digital devices while at school, such as cell phones, digital cameras, and personal computers to engage in bullying.

Cyberbullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another student or staff member by way of any technological tool, such as sending or posting inappropriate or derogatory email messages, instant messages, text messages, digital pictures or images, or website postings (including blogs).

(Continued)

2012

7552
2 of 3

Students

SUBJECT: BULLYING IN THE SCHOOLS (Cont'd.)

Cyberbullying has the effect of:

- a) Physically, emotionally or mentally harming a student;
- b) Placing a student in reasonable fear of physical, emotional or mental harm;
- c) Placing a student in reasonable fear of damage to or loss of personal property; and
- d) Creating an intimidating or hostile environment that substantially interferes with a student's educational opportunities.

Also, cyberbullying that occurs off-campus, that causes or threatens to cause a material or substantial disruption in the school, could allow school officials to apply the "*Tinker* standard" where a student's off-campus "speech" may be subject to formal discipline by school officials when it is determined that the off-campus speech did cause a substantial disruption or threat thereof within the school setting [*Tinker v. Des Moines Indep. Sch. Dist.* 393 U.S. 503 (1969)]. Such conduct could also be subject to appropriate disciplinary action in accordance with the *District Code of Conduct* and possible referral to local law enforcement authorities.

Reports of Allegations of Bullying/Cyberbullying Behavior

Any student who believes that he/she is being subjected to bullying/cyberbullying behavior, as well as any other person who has knowledge of or witnesses any possible occurrence of bullying, shall report the bullying to any staff member or the Building Principal. The staff member/Building Principal to whom the report is made (or the staff member/Building Principal who witnesses bullying behavior) shall promptly, thoroughly and equitably investigate the complaint and take appropriate action to include, as necessary, referral to the next level of supervisory authority and/or other official designated by the District to investigate allegations of bullying. Investigation of allegations of bullying shall follow the procedures utilized for complaints of harassment within the School District. Allegations of bullying shall be promptly and equitably investigated and will be treated as confidential and private to the extent possible within legal constraints.

Prevention and Intervention

Personnel at all levels are responsible for taking corrective action to prevent bullying behavior of which they have been made aware at School District sites or activities and/or reporting such behavior to their immediate supervisor. Further, staff training shall be provided to raise awareness of the problem of bullying within the schools and to facilitate staff identification of and response to such bullying behavior among students.

(Continued)

2012

7552
3 of 3

Students

SUBJECT: BULLYING IN THE SCHOOLS (Cont'd.)

Prevention and intervention techniques within the District to prevent bullying behavior and to support and protect victims shall include building-level and classroom-level strategies and activities as determined by administration. Individual intervention will be provided by appropriate staff members to bullies, victims and their parents to help ensure that the bullying stops.

Rules against bullying shall be publicized District-wide and shall be disseminated as appropriate to staff, students and parents.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of bullying. Follow-up inquiries and/or appropriate monitoring of the alleged bully and victim shall be made to ensure that bullying behavior has not resumed and that all those involved in the investigation of allegations of bullying have not suffered retaliation.

Civil Service Law Section 75-B

NOTE: Refer also to Policies #3410 -- Code of Conduct on School Property
#3420 -- Non-Discrimination and Anti-Harassment in the School District
#7551 -- Sexual Harassment of Students
#7553 -- Hazing of Students
District Code of Conduct

Adopted: 8/21/12

2013

7554

1 of 4

Students

SUBJECT: DIGNITY FOR ALL STUDENTS ACT

The Board of Education recognizes that learning environments that are safe and supportive can increase student attendance and improve academic achievement. A student's ability to learn and achieve high academic standards, and a school's ability to educate students, is compromised by incidents of discrimination or harassment, including but not limited to bullying, taunting and intimidation. Therefore, in accordance with the Dignity for All Students Act, Education Law, Article 2, the District will strive to create an environment free of bullying, discrimination and/or harassment and will foster civility in the schools to prevent and prohibit conduct which is inconsistent with the District's educational mission. Since cyberbullying is a form of bullying, the term "bullying" as used in this policy will implicitly include cyberbullying even if it is not explicitly stated.

The District condemns and prohibits all forms of bullying, discrimination and/or harassment of students based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by school employees or students on school property and at school-sponsored activities and events that take place at locations off school property. In addition, any act of bullying, discrimination and/or harassment, outside of school sponsored events, which can reasonably be expected to materially and substantially disrupt the education process may be subject to discipline.

Dignity Act Coordinator

At least one (1) employee at every school shall be designated as the Dignity Act Coordinator(s). The Dignity Act Coordinator(s) will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (identity or expression) and sex. The Board of Education shall appoint a Dignity Act Coordinator(s) who is employed by such District or BOCES and is licensed and/or certified as a classroom teacher, school counselor, psychologist, nurse, social worker, administrator/ supervisor or Superintendent of Schools. Districts must share the name(s) and contact information of the Dignity Act Coordinator(s) with all school personnel, students, and parents/persons in parental relation, which shall include, but is not limited to, providing the name, designated school and contact information by:

- a) Listing such information in the *Code of Conduct* and updates posted on the Internet website, if available; and
- b) Including such information in the plain language summary of the *Code of Conduct* provided to all persons in parental relation to students before the beginning of each school year; and
- c) Providing such information to parents and persons of parental relation in at least one (1) District or school mailing or other method of distribution including, but not limited to, through electronic communication and/or sending such information home with each student and, if such information changes, in at least one subsequent district or school mailing or other such method of distribution as soon as practicable thereafter;

(Continued)

2013

7554
2 of 4

Students

SUBJECT: DIGNITY FOR ALL STUDENTS ACT (Cont'd.)

- d) Posting such information in highly visible areas of school buildings;
- e) Making such information available at the district and school-level administrative offices.

If a Dignity Act Coordinator vacates his/her position, another school employee shall immediately be designated for an interim appointment as Coordinator, pending approval from the Board of Education, within thirty (30) days of the date the position was vacated. In the event a Coordinator is unable to perform the duties of the position for an extended period of time, another school employee shall immediately be designated for an interim appointment as Coordinator, pending return of the previous Coordinator to the position. The District must provide the change in information to parents or persons in parental relation as soon as practicable. The change in name and/or contact information of the Dignity Act Coordinator will not constitute a revision to the *Code of Conduct* so as to require a public hearing.

Training and Awareness

Each District and Charter School shall establish guidelines for training which shall be approved by the Board of Education. Training will be provided each school year for all District employees in conjunction with existing professional development training to raise staff awareness and sensitivity of bullying, discrimination and/or harassment directed at students that are committed by students or school employees on school property, at a school function, or off school property when the actions create or would foreseeably create a risk of substantial disruption within the school environment or where it is foreseeable that the conduct might reach school property.

Training will include ways to promote a supportive school environment that is free from bullying, discrimination and/or harassment. Training shall:

- a) Raise awareness and sensitivity;
- b) Address social patterns and the effects on students;
- c) Inform employees on the identification and mitigation of such acts;
- d) Provide strategies for effectively addressing problems of exclusion, bias and aggression;
- e) Include safe and supportive school climate concepts in curriculum and classroom management; and
- f) Ensure the effective implementation of school policy on conduct and discipline.

(Continued)

2013

7554
3 of 4

Students

SUBJECT: DIGNITY FOR ALL STUDENTS ACT (Cont'd.)

Instruction in grades Kindergarten through 12 shall include a component on civility, citizenship and character education. Such component shall instruct students on the principles of honesty, tolerance, personal responsibility, respect for others, observance of laws and rules, courtesy, dignity and other traits which will enhance the quality of their experiences in, and contributions to, the community. For the purposes of this policy, "tolerance," "respect for others" and "dignity" shall include awareness and sensitivity to bullying, discrimination and/or harassment and civility in the relations of people of different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, genders and sexes. Such component must also include instruction on the safe and responsible use of the Internet and electronic communications.

Rules against bullying, discrimination and/or harassment will be included in the *Code of Conduct*, publicized District-wide and disseminated to all staff and parents. Any amendments to the Code will be disseminated as soon as practicable following their adoption. New teachers shall be provided a complete copy of the current Code upon their employment. An age-appropriate summary shall be distributed to all students at a school assembly at the beginning of each school year.

Reports and Investigations of Bullying, Discrimination and/or Harassment

The District will investigate all complaints of bullying, discrimination and/or harassment, either formal or informal, and take prompt corrective measures, as necessary. School employees who witness or receive a report (oral or written) of harassment, bullying and/or discrimination must orally notify the Superintendent, Principal, or their designee *no later than one (1) school day* after witnessing or receiving a report of such incident. The employee must then file a written report *within two (2) school days* after making the oral report. If, after an appropriate investigation, the District finds that this policy has been violated, corrective action will be taken in accordance with District policies and regulations, the *Code of Conduct*, and all appropriate federal or state laws. The Superintendent, Principal or their designee shall notify the appropriate local law enforcement agency when it is believed that any harassment, bullying and/or discrimination constitute criminal conduct.

The District will annually report material incidents of bullying, discrimination and/or harassment which occurred during the school year to the State Education Department. Such report shall be submitted in a manner prescribed by the Commissioner, on or before the basic educational data system (BEDS) reporting deadline or such other date as determined by the Commissioner. SED has developed a form for gathering data titled, "Reports of Incidents Concerning School Safety and the Educational Climate" which can be found on the NYSED website.

The Principal of each primary and secondary school shall provide a regular report (at least once during each school year) on data and trends related to harassment, bullying and/or discrimination to the Superintendent and in a manner prescribed by, as applicable, the District, BOCES or charter school. There is no need for schools or districts to submit this report to the State Education Department.

(Continued)

2013

7554
4 of 4

Students

SUBJECT: DIGNITY FOR ALL STUDENTS ACT (Cont'd.)

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

Any person who has reasonable cause to suspect that a student has been subjected to bullying, discrimination and/or harassment by an employee or student, on school grounds or at a school function, who acts reasonably and in good faith and reports such information to school officials or law enforcement authorities, shall have immunity from any civil liability that may arise from making such report. The Board prohibits any retaliatory behavior directed at complainants, victims, witnesses and/or any other individuals who participated in the investigation of a complaint of bullying, discrimination and/or harassment.

Education Law Sections 10-18, 801-a, 2801 and 3214
8 NYCRR Section 100.2

NOTE: Refer also to Policies #1330 -- Appointments and Designations by the Board of Education
#3410 -- Code of Conduct on School Property
#3420 -- Non-Discrimination and Anti-Harassment in the School District
#7551 -- Sexual Harassment of Students
#7552 -- Bullying in the Schools
#7553 -- Hazing of Students
#8242 -- Civility, Citizenship and Character Education/Interpersonal Violence Prevention Education

Adopted: 8/21/12
Revised: 8/22/13

Report # _____ (Assigned by the Principal's Office)

7554F

1 of 2

**PINE BUSH CENTRAL SCHOOL DISTRICT
DIGNITY FOR ALL STUDENTS: BULLYING, CYBERBULLYING,
HARASSMENT, AND HAZING REPORT FORM**

Bullying is intentional, harmful behavior initiated by one or more students and directed towards another student. Bullying exists when a student with more social and/or physical power deliberately dominates and harasses another who has less power. Bullying is unjustified and typically repeated.

Please complete and return this form to the principal or DASACoordinator.

Part 1-Complaint

1. Date the report is being filled out	
2. Name of Person Filing the Report	
3. Identification of person reporting incident	<input type="checkbox"/> I am the target of bullying, harassment or hazing <input type="checkbox"/> I witnessed bullying, harassment or hazing <input type="checkbox"/> I was told about an incident of bullying, harassment or hazing
4. The Best Way(s) to Reach Me (Fill Out All that Apply)	Phone number: Email:
5. Alleged target(s) identification: list all the names of students who are being targeted in this bullying/cyberbullying, harassment or hazing incident. (attach additional information if necessary)	<input type="checkbox"/> I am the target of bullying, harassment or hazing and I am in _____ grade <input type="checkbox"/> Target(s) name(s) and grade(s) are: 1. Name and grade: _____ 2. Name and grade: _____ 3. Name and grade: _____
6. Alleged person(s) committing the bullying, cyberbullying, harassment, or hazing (attach additional information if necessary)	1. Name _____ <input type="checkbox"/> student or <input type="checkbox"/> adult 2. Name _____ <input type="checkbox"/> student or <input type="checkbox"/> adult 3. Name _____ <input type="checkbox"/> student or <input type="checkbox"/> adult
7. I would best describe the incident(s) as related to the target(s) (check all that apply)	<input type="checkbox"/> actual or perceived race <input type="checkbox"/> color <input type="checkbox"/> weight <input type="checkbox"/> national origin <input type="checkbox"/> ethnic group <input type="checkbox"/> religion <input type="checkbox"/> religious practice <input type="checkbox"/> disability <input type="checkbox"/> sex <input type="checkbox"/> sexual orientation <input type="checkbox"/> gender identity <input type="checkbox"/> other perceived characteristics
8. The incident(s) have occurred in the following location(s) (check all that apply)	<input type="checkbox"/> classroom <input type="checkbox"/> hallway/locker <input type="checkbox"/> cafeteria <input type="checkbox"/> playground <input type="checkbox"/> school bus <input type="checkbox"/> gymnasium/locker room <input type="checkbox"/> library <input type="checkbox"/> at an off-campus school event <input type="checkbox"/> electronically <input type="checkbox"/> athletic field <input type="checkbox"/> school entrance/exit <input type="checkbox"/> computer lab <input type="checkbox"/> <input type="checkbox"/> off school property <input type="checkbox"/> parking lot <input type="checkbox"/> other

{ 1DASA Complaint Form 2013 }

(Continued)

Report # _____ (Assigned by the Principal's Office)

7554F

2 of 2

PINE BUSH CENTRAL SCHOOL DISTRICT
DIGNITY FOR ALL STUDENTS: BULLYING, CYBERBULLYING,
HARASSMENT, AND HAZING REPORT FORM (Cont'd.)

<p>9. The incident(s) has/have involved the following. (Check all that apply)</p>	<p><input type="checkbox"/> Physical (direct)—hitting; punching; tripping; kicking; pushing; scratching; ganging up; extortion; damaging property</p> <p><input type="checkbox"/> Social/Relational—excluding or threatening to exclude; spreading rumors/gossiping; ostracizing; alienating; using threatening looks/glances</p> <p><input type="checkbox"/> Verbal (direct)—name calling; teasing; intimidating; threatening; taunting; making offensive or discriminatory remarks (rude and or lewd)</p> <p><input type="checkbox"/> Cyberbullying—sending insulting messages or threats by email, text messaging, chat rooms, etc.</p>
<p>10. Please describe the bullying, cyberbullying, harassment or hazing. Describe what was said and/or done and by whom. Attach any evidence and an additional sheet for description of the incident if applicable.</p>	<p>Is this the first time this has happened? <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> unsure</p> <p><input type="checkbox"/> Date(s) and time(s) of the incident(s) _____</p> <p>Description of incident(s):</p>
<p>11. Other Witnesses: Please identify any other people who may have witnessed the incident(s). (Attach additional sheet if necessary)</p>	<p>1. _____ <input type="checkbox"/> student <input type="checkbox"/> adult</p> <p>2. _____ <input type="checkbox"/> student <input type="checkbox"/> adult</p> <p>3. _____ <input type="checkbox"/> student <input type="checkbox"/> adult</p>
<p>12. Have you reported this situation to anyone else before this complaint?</p>	<p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes, I reported this to _____ on _____</p> <p align="center">Name date</p>
<p>13. Did the student require medical treatment as a result of this bullying, cyberbullying, harassment or hazing incident?</p>	<p><input type="checkbox"/> I don't know <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes, here is what I know _____</p>
<p><i>I do hereby attest that this information is true, accurate and complete to the best of my knowledge.</i></p>	
<p>Signature: _____ Date _____</p> <p align="center">Please STOP Filling form out, the next page is for administrative use</p>	

Pine Bush Central School District



**CODE
OF
CONDUCT**

PUBLIC HEARING

ADOPTION BY P.B.C.S.D. Board of Education

**JULY 2012
Revised**

June 12, 2001

July 10, 2001

Code of Conduct TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	DEFINITIONS	1
	Administrators	1
	Board of Education	1
	Bullying	1
	Cyberbullying	2
	Disruptive Student	2
	Disruptive Student (Substantially)	2
	Parent	2
	Professional Staff	2
	School Function	2
	School Property	2
	Sexting	3
	Student	3
	Staff	3
	Superintendent	3
	Teacher	3
	Violent Student	3
	Weapon	3
III.	STUDENT RIGHTS AND RESPONSIBILITIES	4
IV.	ESSENTIAL PARTNERS	5
	Parents	5
	Students	6
	Teachers and Other Professional Staff	7
	Staff	7
	Administrator	8
	Superintendent	8
	Board of Education	9
	Dignity Act Coordinators	9
V.	STUDENT DRESS CODE	9
VI.	PROHIBITED STUDENT CONDUCT	10
VII.	REPORTING VIOLATIONS	13

VIII.	DISCIPLINARY PENALTIES, PROCEDURES & REFERRALS	14
	Penalties	14
	Procedures	15
	Periods of Suspension for Substantially Disruptive or Violent Acts	21
	Referrals and Counseling	23
	PINS Petitions	23
IX.	ALTERNATIVE INSTRUCTION	23
X.	DISCIPLINE OF STUDENTS WITH DISABILITIES	23
	Authorized Suspensions or Removals of Students with Disabilities	24
	Change of Placement Rule	25
	Special Rules Regarding the Suspension or Removal of Students with Disabilities ..	26
	Expedited Due Process Hearing	27
	Referral to Law Enforcement and Judicial Authorities	28
XI.	CORPORAL PUNISHMENT	28
XII.	STUDENT SEARCHES AND INTERROGATION	29
	Searches and Seizures	29
	Documentation of Searches	30
	Student Lockers, Desks, and Other School Storage Places	30
	Questioning of Student	30
	Police Involvement	31
	Child Protective Services Investigation	31
XIII.	VISITORS TO THE SCHOOL	32
XIV.	PUBLIC CONDUCT ON SCHOOL PROPERTY	32
	Prohibited Conduct	33
	Penalties	33
	Enforcement	34
XV.	DISSEMINATION AND REVIEW	34
	Dissemination of Code of Conduct	34
	STUDENT DISCIPLINE CHART.....	APPENDIX

Pine Bush Central School District Code of Conduct

I. Introduction

The Board of Education ("Board") is committed to providing a safe and orderly school environment where students may receive, and district personnel may deliver, quality educational services without disruption or interference. Responsible behavior by students, parents, teachers, administrators, other district personnel, and visitors is essential to achieving this goal.

The district has a long standing set of expectations for conduct on school property and at school functions. These expectations are based on the following principles:

- civility;
- mutual respect;
- citizenship;
- character;
- tolerance;
- fairness;
- honesty;
- integrity.

The Board recognizes the need to:

- clearly define these expectations for acceptable conduct on school property;
- identify the possible consequences of unacceptable conduct;
- ensure that discipline, when necessary, is administered promptly and fairly.

To this end, the Board adopts the Code of Conduct ("Code"), which, unless otherwise indicated, applies to all students, parents, school personnel, and visitors when on school property or attending school functions.

II. Definitions

For the purpose of this code, the following definitions apply:

A. Administrators

Any certificated person in a supervisory position such as principal, assistant principal, director, or assistant director in the Pine Bush Central School District.

B. Board of Education

A group of elected officials in charge of overseeing the creation and review of the policies and regulations of the Pine Bush Central School District.

C. Bullying

Aggressive behavior that is intentional and involves an imbalance of power or strength. Bullying involves actions such as: hitting or punching (physical bullying), teasing or name-calling (verbal bullying), or intimidation through gestures or social exclusion.

D. Cyberbullying

Online social cruelty or electronic bullying. Any student who

- sends mean, vulgar or threatening messages or images;
- posts sensitive, private information about another person;
- pretends to be someone else in order to make that person look bad;
- intentionally excluding someone from an online group.

E. Disruptive Student

Any student who:

1. through his/her behavior, prevents another student from completing work, participating in class, or cooperating with the teacher, principal, or staff member.
2. undermines the authority of the teacher, other professional staff, principal, or support staff;
3. engages in any act, that disrupts any learning environment in the school;
4. engages in any behavior that causes instruction, discipline, or learning to be interrupted;
5. by not adequately preparing for class, disrupts, postpones or otherwise interrupts the instruction and learning that is going on in the classroom.

F. Disruptive Student (Substantially)

Any student who demonstrates a persistent unwillingness to comply with the teacher's instructions, repeatedly violates the teacher's classroom behavior rules, or persistently interrupts the learning environment of the class.

G. Parent

Any parent, guardian, or other person acting in the capacity of a parent of a student in the Pine Bush Central School District.

H. Professional Staff

Any certificated school personnel such as guidance counselors, school psychologists, nurses, social workers, therapists, librarians, coaches, trainers, and teaching assistants who deliver services in and out of the classrooms of the Pine Bush Central School District.

I. School Function

Any school sponsored event or activity.

J. School Property

1. Any materials, equipment or internet server on or in any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school.
2. Any materials or equipment on or in any school bus as defined in Vehicle and Traffic Law §142.

K. Sexting

Sending, receiving or forwarding sexual, suggestive, nude or nearly nude photos or messages through text messages or e-mails.

L. Student

Any individual under the age of 21 attending an elementary or secondary facility in the Pine Bush Central School District who is governed by this code.

M. Staff

Any school related personnel such as substitute teachers, custodians, clerical staff, monitors, food service employees, security staff, bus drivers, and volunteers in the Pine Bush Central School District.

N. Superintendent

The chief operational officer of the Pine Bush Central School District.

O. Teacher

Any person holding a teaching certificate who is delivering classroom instruction in the Pine Bush Central School District.

P. Violent Student

Any student who:

1. plans, threatens to commit, attempts to commit, or commits an act of violence against a school employee or their property;
2. plans, threatens to commit, attempts to commit, or commits an act of violence against another student or any other person or their property;
3. plans, threatens to commit, attempts to commit, or commits an act of violence against him/herself;
4. possesses a weapon while on school property or at a school function;
5. displays what appears to be a weapon while on school property or at a school function;
6. threatens the use of a weapon on school property or at a school function;
7. knowingly and intentionally damages or destroys the personal property of a school employee or other person who is lawfully on school property or at a school function;
8. knowingly and intentionally damages or destroys school district property.

Q. Weapon

Any device, instrument, material, or substance, either animate or inanimate, homemade or commercially made, that is used for or readily capable of causing death or serious bodily injury. Such items include but are not limited to the following:

1. firearm as defined in 18 USC §921 of the Gun-Free Schools Act (*also see District Policy #7321 Gun-Free Schools*);
2. any other gun including a pistol, revolver, shotgun, rifle, machine gun, facsimile gun, disguised gun, zip gun, BB gun, pellet gun, or paint ball gun;

3. any knife such as a dagger, razor, stiletto, box cutter, shank, switchblade knife gravity knife, butterfly knife, knuckle knife, hunting knife, or sword;
4. brass knuckles;
5. sling shot;
6. kung fu star;
7. electronic stun gun or taser;
8. pepper spray or other noxious spray;
9. hazardous chemical substances;
10. any explosive or incendiary bomb.

III. Student Rights and Responsibilities

Students of the Pine Bush Central School District shall have the rights afforded them under the following provisions:

- federal and state constitutions, the laws of the State of New York;
- policies of the school district established by the Board of Education;
- rules and regulations established by the school the students attend.

Although the rights of students are not identical to the rights of adults, it is recognized that a student's private, non-school sponsored and/or non-program related conduct cannot be regulated unless the educational community is affected by such conduct.

All persons under the age of 21 who have not received a high school diploma have the right to a free public education as well as the right to:

- A. Attend school in an environment that exhibits the following characteristics:
 - is safe, orderly, and drug free;
 - encourages learning, and allows for maximum academic and personal growth;
 - is free of discrimination based on race, color, weight, religion, religious practice, creed, national origin, ethnic group, gender (identity and expression), sex, sexual orientation or disability;
 - encourages students to discuss and debate ideas and opinions free from harassment or intimidation;
 - protects free speech and expression, provided such speech is not likely to create a material and substantial disruption to the school environment, does not interfere with the orderly conduct of classes, and is not libelous, slanderous, or obscene;
 - prepares students to be productive members of society.
- B. Present their version of relevant events regarding any Code violation to school personnel authorized to impose a disciplinary penalty in such a situation.
- C. Have access to school rules and, when necessary, receive an explanation of those rules from school personnel.

In accordance with these rights, students are held to corresponding responsibilities whether in school, on school grounds, or at school functions. It is expected that students will conduct themselves in accordance with these responsibilities. Furthermore, it is expected that they will contribute in a positive way to the maintenance of an orderly environment in which the safety and welfare of others are protected, and learning is not jeopardized.

IV. Essential Partners

Students have important responsibilities to uphold in order to ensure the schools they attend are safe, orderly, and well disciplined. At the same time, the personnel of our school district, parents, and the other adults of the community must exercise leadership and authority. They must do what is necessary to maintain a school environment that protects the rights of students and staff while at the same time expecting and providing for high levels of performance.

All essential partners should assist students in maintaining a safe, supportive school environment, a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (identity and expression) or sex, which will strengthen students' self-concept and promote confidence to learn.

All of these individuals and their responsibilities are listed below.

A. Parents

All parents are expected to:

1. recognize that the education of their children is a joint responsibility of both the parents and the school community;
2. convey to their children a supportive attitude toward education and the district;
3. become familiar with all district and building policies, rules, and regulations pertaining to student conduct and safety;
4. assure that their children arrive at school on time, well rested, prepared, and with necessary materials;
5. provide for their children's health, personal cleanliness, acceptable grooming, and suitable dress in accordance with the school dress code;
6. model the behaviors and attitudes students and other essential partners are expected to exhibit while on school property;
7. help their children understand and exhibit self-respect, respect for law, respect for others, respect for public property, and the importance of all these in a democratic society;
8. help their children deal effectively with peer pressure;
9. provide a place at home that is appropriate for study and ensure the completeness of homework assignments;
10. build a good relationship between themselves as well as their children, their children's friends and teachers, and other professional staff, administrators, and support staff;

11. utilize the resources of the school and community to help their children succeed;
12. inform school officials of changes in the home situation that may affect student conduct or performance;
13. assume financial liability for damages resulting from acts of vandalism or theft performed by their children;
14. insist on prompt and regular attendance. If a child is absent, the child's parent must prepare and submit a written excuse for the absence or tardiness. Students may legally be absent from school for the following reasons (See *Comprehensive Student Attendance Policy* for entire excused absence list):
 - illness;
 - death in the family;
 - religious observance;
 - mandatory court appearance;
 - impassable roads.

B. Students

All students are expected to:

1. allow classroom instruction to take place without interruption or interference because the prime reason they come to school is to learn;
2. work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible;
3. account for their actions and accept the consequences of those actions;
4. respect the rights of others, including other's right to receive a quality education;
5. respect personal differences, and treat others in ways that neither libel, harass, intimidate, nor endanger the safety, morals, health, or welfare of others;
6. accept the right of all teachers, administrators, and other school personnel to issue directives and react to directions given by them in a respectful and positive manner;
7. communicate to their parents what they are doing in school, what their teachers expect, and how they are meeting those expectations;
8. express themselves and dress in a manner that does not disrupt the orderly operation of the school;
9. attend school regularly and arrive at school and to classes on time with the necessary tools and materials;
10. seek help in solving problems that interfere with personal success;
11. build good working relationships between themselves and peers, their parents, teachers, and other professional staff, administrators, and support staff;
12. utilize the resources of the school and community in order to succeed;
13. conduct themselves as representatives of the district when participating in or attending school sponsored extracurricular events and hold themselves to the highest standards of conduct, demeanor, and sportsmanship;
14. Become familiar with and abide by all district and school policies, rules, and regulations that pertain to student conduct and safety.

C. Teachers and Other Professional Staff

All teachers and other professional staff are expected to:

1. ensure the Code of Conduct and district policies are adhered to in the classroom and throughout the school;
2. promote a climate of mutual respect and dignity;
3. strengthen students' self-concept and promote confidence to learn;
4. treat all essential partners, including students, in a fair and equitable manner;
5. be prepared to teach in a way that respects the individual differences of students;
6. provide a variety of learning activities to diversify instruction in order to promote positive student behavior;
7. demonstrate interest in teaching and concern for student achievement;
8. communicate with students and parents regularly regarding:
 - course objectives and requirements;
 - marking/grading procedures;
 - assignment deadlines;
 - expectations of students;
 - classroom discipline plan;
 - individual student growth, or decline in achievement;
9. model the behaviors and attitudes students and other essential partners are expected to exhibit;
10. build positive working relationships between themselves and students, parents, administrators, and other support staff;
11. build positive working relationships with other teachers and other professional staff and utilize the resources of the school and community to help students succeed;
12. assist, by seeking help or directly intervening, in any emergency situations that threaten students or staff.

D. Staff

All staff are expected to:

1. provide the many non-instructional services necessary for the safe, smooth, and secure operation of the Pine Bush Central School District;
2. perform their specific duties in a way that supports a positive learning environment;
3. know school policies and rules and either enforce them or seek help in enforcing them in a fair and equitable manner;
4. help maintain a safe and orderly environment;
5. promote a climate of mutual respect and dignity;
6. treat all essential partners, including students, in a fair and equitable manner;
7. build positive working relationships between themselves and students, parents, teachers, and other professional staff, administrators, and other support staff;
8. model the behaviors and attitudes students and other essential partners are expected to exhibit;

9. assist, by seeking help or directly intervening, in any emergency situations that threaten students or staff;
10. promote honest and open communication with all staff members in the district.

E. Administrators

All administrators are expected to:

1. communicate district discipline policies to students, staff, and members of the community;
2. promote a safe and orderly school environment;
3. ensure the awareness of all teachers and other professional staff as to the individual needs of students;
4. be responsible for enforcing the Code and ensuring that all cases are resolved promptly and fairly;
5. support active teaching and learning in order to create a stimulating academic environment;
6. plan and provide opportunities for teachers to gain and/or reinvigorate classroom management and student discipline skills;
7. meet with the other administrators of the district at least twice a year to evaluate the Code as to its consistent implementation throughout the Pine Bush Central School District;
8. evaluate, on a regular basis, all instructional programs;
9. build positive working relationships between themselves and students, parents, teachers, and other professional staff and support staff;
10. build positive working relationships with other administrators and utilize the resources of the school and community to assist students in being successful;
11. utilize staff appropriately and effectively to ensure proper supervision within the school and on school grounds;
12. model the behaviors and attitudes students and other essential partners are expected to exhibit;
13. ensure that students, parents, and staff have the ability to communicate regularly with the administrators.

F. Superintendents

The superintendent and all assistant superintendents are expected to:

1. promote a safe and orderly school environment throughout the Pine Bush Central School District;
2. review with all administrators discipline and other policies of the Board of Education, as well as state and federal laws relating to school discipline, operations, and management;
3. work with administrators in enforcing the Code of Conduct;
4. ensure that all student referrals are followed up and brought to closure;
5. ensure that accurate student records are maintained;

6. build positive working relationships between themselves and students, parents, administrators, teachers, and other professional staff and support staff;
7. build positive working relationships with the Board of Education and utilize the resources of the school and community to assist students in being successful;
8. serve as the hearing officer between students, teachers, and parents in the due process procedure, as described by Education Law;
9. ensure that all cases involving violations of the Code of Conduct are resolved promptly and fairly;
10. meet annually with the Code of Conduct committee in order to:
 - evaluate the effectiveness of the code;
 - determine the fairness and consistency of its implementation;
 - suggest any changes that may be necessary to improve the code;
 - present, once a year to the Board of Education, a report from the district's Code of Conduct committee, regarding the code's effectiveness, the fairness and consistency of its implementation, and any recommended changes;
 - model the behaviors and attitudes students and other essential partners are expected to exhibit.

G. Board of Education

The members of the Board of Education are expected to:

1. adopt a Code of Conduct for the Pine Bush Central School District;
2. ensure the Code is implemented in all schools in a prudent, fair and equitable manner;
3. provide the necessary financial commitment to ensure the Code of Conduct may be maintained and enforced;
4. review and adopt, on an annual basis, a report from the district's Code of Conduct committee regarding the code's effectiveness, the fairness and consistency of its implementation, and any recommended changes;
5. serve as the highest level of appeal in the district discipline procedure as prescribed by Education Law;
6. model the behaviors and attitudes students and other essential partners are expected to exhibit;
7. affirm the authority of school personnel to maintain order and discipline in the schools;
8. build a positive working relationship between the Board of Education and students, parents, teachers, administrators, and school staff.

H. Dignity Act Coordinators

Dignity Act Coordinators should oversee bullying prevention measures and address issues surrounding bullying in their building.

V. Student Dress Code

All students are expected to give proper attention to personal cleanliness and dress appropriately for school and school functions. Students and their parents have the primary

responsibility for acceptable student dress and appearance. Teachers and all other district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting. A student's dress, grooming, and appearance, including hair style or color, jewelry, make-up and nails, shall:

- be safe, appropriate, and not disrupt or interfere with the educational process;
- not include extremely brief garments or see through garments;
- include footwear at all times (footwear that is a safety hazard will not be allowed);
- not include items that are vulgar, obscene, or libelous, or denigrate others on account of race, color, weight, religion, religious practice, creed, national origin, ethnic group, gender (identity and expression), sex, sexual orientation or disability;
- not promote and/or endorse the use of alcohol, tobacco, or illegal drugs and/or encourage other illegal or violent activities;
- not include the wearing of hats or head gear in school except for a medical or religious purpose.

Each building principal or his/her designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year. Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline, up to and including in-school suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out of school suspension.

VI. Prohibited Student Conduct

The Board of Education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, district personnel, and other members of the school community, and for the care of school facilities and equipment. The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline. The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the penalties for their conduct. Students may be subject to disciplinary action, up to and including suspension from school, when they:

- A. Engage in conduct that is disorderly or disruptive as an individual or member of a group. Examples of disorderly conduct include:
 - running in hallways;
 - making unreasonable noise;
 - using language or gestures that are profane, lewd, vulgar, provoking, or abusive.

- obstructing vehicular or pedestrian traffic;
 - engaging in any willful act that disrupts the normal operation of the school community;
 - trespassing (students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building);
 - computer/electronic communications misuse, including any unauthorized use of computers, software, or Internet/intranet account, accessing inappropriate websites, or any other violation of the district's acceptable use policy (*also see District Policy #7322 Student Use of Computerized Information Sources*);
 - cell phones and/or other wireless devices visible and/or in use as per grade level regulations specified by the building principal;
 - failing to comply with the reasonable directions of teachers, school administrators, or other school personnel in charge of students.
- B. Engage in conduct that is insubordinate as an individual or member of a group. Examples of insubordinate conduct include:
- failing to comply with the reasonable directions of teachers, school administrators, or other school employees in charge of students or otherwise demonstrating disrespect;
 - lateness for, missing, or leaving school or class without permission or excuse;
 - skipping detention or ignoring penalties imposed by district staff;
 - refusing to do assignments or tasks assigned by district staff.
- C. Engage in conduct that is violent as an individual or member of a group. Examples of violent conduct include:
- threatening, planning, attempting to commit or committing an act of violence, such as hitting, shoving, pushing, pinching, kicking, punching, scratching or spitting, upon a teacher, administrator, or other school employee, or attempting to do so;
 - threatening, planning, attempting to commit or committing an act of violence, such as hitting, shoving, pushing, pinching, kicking, punching, or scratching upon another student or any other person lawfully on school property, or attempting to do so;
 - possessing a weapon (authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function);
 - displaying what appears to be a weapon or facsimile weapon;
 - threatening to use any weapon;
 - intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee, or any person lawfully on school property;
 - intentionally damaging or destroying school district property.
- D. Engage in any conduct that endangers the safety, morals, health, or welfare of self or any other person as an individual or member of a group. Examples of such conduct include:
- bullying or cyberbullying;

- stealing the property of other students, school personnel, or any other person lawfully on school property or attending a school function;
 - defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them;
 - discrimination, which includes the use of race, color, weight, religion, religious practice, creed, national origin, ethnic group, gender (identity and expression), sex, sexual orientation or disability as a basis for treating another in a negative manner;
 - harassment, which includes a sufficiently severe action or a persistent, pervasive pattern of actions or statements directed at an identifiable individual or group that are intended to be or that a reasonable person would perceive as ridiculing or demeaning;
 - intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm;
 - sending mean, vulgar or threatening messages or images.
 - intimidating, threatening, or causing bodily harm to another because that individual was asked to provide testimony or provided testimony to a school official;
 - hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with, or maintaining membership in any school sponsored activity, organization, club, or team;
 - selling, using, or possessing obscene material;
 - use of camera phones or wireless communication devices to capture or store images without a person's permission;
 - using vulgar or abusive language, cursing or swearing;
 - smoking a cigarette, cigar, or pipe, or using chewing or smokeless tobacco;
 - possessing, consuming, selling, distributing, or exchanging alcoholic beverages or illegal substances and drug paraphernalia, or being under the influence of alcohol or an illegal substance. "Illegal substances" include, but are not limited to, inhalants, marijuana, cocaine, lsd, pep, amphetamines, heroin, steroids, look-alike drugs, and any substance commonly referred to as a "designer drug";
 - inappropriately using or sharing prescription or over-the-counter drugs;
 - gambling;
 - indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner, or using an electronic device to send, receive or forward sexually suggestive photos or comment.
 - initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher;
 - lying to school personnel.
- E. Engage in misconduct while on a school bus. It is crucial for students to behave appropriately while riding on district buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Any distraction to the driver such as: excessive noise, pushing, shoving, fighting, or being out of one's seat while the bus is in motion, will not be tolerated.

- F. Engage in any form of academic misconduct as an individual or member of a group. Examples of academic misconduct include:
- plagiarism;
 - cheating, including, but not limited to, copying, using unauthorized help sheets and the like, illegally obtaining test information in advance, substituting for a test taker, and other forms of unauthorized collusion;
 - altering records;
 - assisting another student in any of the above actions.
 - the use of wireless communication, e.g., text messaging, camera phones, etc. for the purpose of cheating.
- G. Students may also be disciplined for conduct occurring off school premises (including where actions were precipitated by actions on school premises) which negatively impacts the health, safety, and/or welfare of students or staff in the Pine Bush Central School District. This would include, but not be limited to, for example, threatening or assaulting another student or staff member off school premises.

VII. Reporting Violations

All students are expected to promptly report violations of the Code of Conduct to a teacher, guidance counselor, the building principal or his/her designee. Any student observing a student possessing a weapon, alcohol, or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee, or the superintendent. All district staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair, and lawful manner. District staff who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the Code of Conduct to his/her supervisor, who shall impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.

Any weapon, alcohol, or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent of the student involved and the appropriate disciplinary sanction if warranted, which may include long-term suspension and referral for prosecution.

The building principal, or his/her designee, must notify the appropriate local law enforcement agency of those Code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the principal or his/her designee learns of the violation. The notification may be made by telephone, followed by a letter mailed on the same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the Code of Conduct and constituted a crime.

Students or staff who wish to report harassment, discrimination or bullying should contact the appropriate compliance officer. The Dignity Act Coordinators for each building are as follows:

- PBHS, Brian Lynn, 744-2031 ext. 3602, blynn@pinebushschools.org
- CVMS, Gwen Nivar, 744-2031 ext. 5603, gnivar@pinebushschools.org
- CMS, Christopher Mummery, 744-2031 ext. 4416, cmummery@pinebushschools.org
- STARS, Andre Spinelli, 744-2031 ext. 7775, aspinelli@pinebushschools.org
- CES, Brian Breheny, 744-2031 ext. 5524, bbreheny@pinebushschools.org
- PBE, Kristin Slover, 744-2031 ext. 4302, kslover@pinebushschools.org
- PAK, Colleen Delles, 744-2031 ext. 5716, cdelles@pinebushschools.org
- EJR, Elizabeth Sproul, 744-2031 ext. 4202, esproul@pinebushschools.org

VIII. Disciplinary Penalties, Procedures & Referrals

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and place emphasis on the students' ability to grow in self-discipline. Disciplinary action, when necessary, will be firm, fair, and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

- the student's age;
- the nature of the offense and the circumstances that led to the offense;
- the student's prior disciplinary record;
- the effectiveness of other forms of discipline;
- information from parents, teachers, and/or others, as appropriate;
- other extenuating circumstances.

As a general rule, discipline will be progressive. This means a student's first violation will usually merit a lighter penalty than subsequent violations.

A. Penalties

Students who are found to have violated the district's Code of Conduct, either alone or as a member of a group, may be subject to the following penalties (school personnel identified after each penalty are authorized to impose that penalty consistent with the student's right to due process):

- oral warning – any member of the district staff;
- written warning – bus drivers, hall and lunch monitors, teaching assistants, coaches, guidance counselors, teachers, administrators, superintendent;
- written notification to parent – bus driver, coaches, guidance counselors, teachers, administrators, superintendent;
- detention – teachers, principal, superintendent;
- suspension from transportation – director of transportation, administrators, superintendent;
- suspension from athletic participation – coaches, administrators, director of physical education and athletics, superintendent;
- suspension from social or extracurricular activities – activity director in conjunction with administrators, superintendent;
- suspension of other privileges which may include participation in school field trips, or in any or all graduation activities, events, or other ceremonies – principal, superintendent;

- removal from classroom by teacher – teachers, principal;
- in-school suspension – administrators, superintendent;
- short-term (five days or less) suspension from school – principal, superintendent, Board of Education;
- long-term (more than five days) suspension from school – administrators, superintendent, Board of Education;
- withhold walking at graduation.

B. Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the severity of the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty.

Students who are to be given penalties other than an oral warning, written warning, or written notification to their parents are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

1. Detention

A special detention room will be designated and staffed at the middle and high schools for one hour after school on Monday through Thursday afternoons. Detention may be assigned at other periods of the day and at other locations at the discretion of the principal. Detention in this room for more than one hour may also be assigned at the high school. Only an administrator may assign a student to detention in this room. At the elementary level, detention shall be at the discretion of the principal and will be supervised by the principal or his/her designee. The administrator must give the student written notice at least 24 hours in advance. Failure to attend assigned detention will result in in-school suspension. If a student is absent on the day the detention was scheduled, the student is still obligated to serve detention when he/she returns. A student's absence from school does not mean the student is excused from detention. Assignment to detention takes precedence over all after-school or extracurricular activities. Students will be permitted to attend after-school or extracurricular activities only after their detention obligation is completed.

2. Suspension from Transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the superintendent or their designees. In such cases, the student's parents will become responsible for seeing that their child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education.

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the penalty involved.

3. Suspension from Sports and Extracurricular Activities

Students suspended from school for serious offenses, which may include but are not limited to the selling, use, or possession of alcohol, drugs, tobacco, or other controlled substances or drug paraphernalia; possession of a weapon; or the use of violent behavior may also be suspended from all extracurricular activities for a period of time greater than that imposed for suspension from school. The additional amount of time suspended from extracurricular activities will be determined collaboratively by the principal, administrative supervisor (such as the Director of Physical Education and Athletics,) and the coach/advisor.

Any student found to be in violation of any rules stipulated in the Code of Conduct for extracurricular activities, whether or not such violation occurred on school grounds or at school related activities, may be suspended from all extracurricular activities for a period of time to be determined collaboratively by the principal, administrative supervisor (such as the Director of Physical Education and Athletics), and the coach/advisor.

4. Suspension

As provided in Education Law, the Board of Education, the Superintendent of Schools, a building principal, or in the building principal's absence, an acting building principal, may suspend a student from attendance upon instruction where it is determined that the student:

- is insubordinate or disorderly, violent or disruptive, or exhibits conduct that endangers the safety, morals, health, or welfare of others;
- exhibits a physical or mental condition that endangers the health, safety or morals of himself/herself or other students.

In addition to the statutory grounds for suspension from attendance upon instruction for misconduct or endangering health or safety conditions, students shall also be subject to suspension from attendance upon instruction based on a violation related to specific disciplinary infractions.

A student assigned to in-school or out-of-school suspension for a total of two or more days may, at the discretion of the building principal, be excluded from attendance at school-related activities such as dances, field trips, and other such functions. Such exclusion will be dependent upon the circumstances associated with the suspension, including the nature of the infraction, subsequent improvement of behavior, and the purpose of the field trip or activity. If such privileges are lost, the student may be provided the opportunity to earn them back in accordance with the following provisions:

- on a weekly basis, an assigned mentor will check the student's grades, behavior, and effort. The mentor will be determined by the administrator in conjunction with the student;
- the student will not engage in behavior that requires a disciplinary write up of any kind for five weeks;
- the student must get a progress report filled out on a weekly basis by all of his/her teachers/supervisors. This report must be taken home on the last school day of each week, signed by a parent, and returned by the student to his/her mentor. Satisfactory effort, conduct, and behavior is expected in all classes for the five-week period;
- if at any time during this five-week period the student fails to meet these goals, the student will be immediately placed back at the beginning of the process for another five-week period.

a. Pre-Suspension Process

Prior to being suspended from attendance upon instruction in one or more classes, the student shall have a conference with a school official empowered to suspend, as referenced above, at which time the evidence upon which the decision to suspend is based shall be stated to the student and the student shall be given the opportunity to explain his/her version of the facts. The student shall also be afforded the right to present other persons to the suspending authority in support of his/her version of the facts. If the circumstances render a pre-suspension conference impossible, such a conference shall occur as soon as is practicable after the suspension has commenced.

b. Teacher Removal of Disruptive Students from a Classroom:

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his/her composure and self-control in an alternative setting. Such practices are time honored classroom management techniques that do not constitute disciplinary removal for purposes of this code.

On occasion, a student's behavior may become disruptive. For purposes of the Code of Conduct, a disruptive student is a student who substantially disrupts the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process that impedes learning or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules.

A classroom teacher has the authority to remove a disruptive student from class. The removal from class applies to the class of the removing teacher only. At the

secondary level, the teacher may remove the student from class for the remainder of the period during which the disruptive incident occurred, and for a period not to exceed two additional full days. At the elementary level, a teacher may remove a student for a length of time appropriate to the infraction but not to exceed two days.

If the disruptive student does not pose a danger, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.

If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately and the student will be escorted out of the class by a staff member. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within 24-hours.

The teacher must complete a district established disciplinary removal form and confer with the principal or the principal's designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the teacher, principal, or principal's designee are not available to meet by the end of the same school day, the teacher must leave the form with the secretary and confer prior to the beginning of classes on the next school day.

Within 24-hours after the student's removal, the principal or another district administrator designated by the principal must notify the student's parents, in writing, that the student has been removed from class and why. The notice must also inform the parents that they have the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address of the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number for the purpose of contacting a parent.

The principal may require the teacher who ordered the removal to attend the informal conference. If at the informal meeting the student denies the charges, the principal or the principal's designee must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and principal.

The principal or the principal's designee may overturn the removal of the student from class if the principal finds any one of the following:

- charges against the student are not supported by substantial evidence;
- student's removal is otherwise in violation of law, including the district's Code of Conduct;
- the conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.

The principal or his or her designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final determination, and notifies the teacher, or the period of removal expires, whichever is less. Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until the student is permitted to return to the classroom. Each teacher must keep a complete log (on a district provided form) for all cases of removal of students from the teacher's class. The principal must keep a log of all removal of students from class.

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, classified student's removal from class will be monitored by the school administrator to ensure that the removal does not violate the student's rights.

c. In-School Suspension

Students from the middle schools and high school who are assigned to In-School Suspension (ISS) will be scheduled into a supervised room for no more than five (5) consecutive days. In addition, such students will be deprived of their usual school privileges during the time they are assigned to ISS, including attendance at all after-school activities. Students assigned to ISS must report directly to the ISS room rather than to their home rooms. They may not leave the ISS room to attend other classes without the express permission of the administrator who assigned the student to ISS. Students scheduled into ISS are expected to complete all class work and homework assigned by their regular teachers, including those assignments specifically provided to the students while in ISS. Special rules will apply to students in ISS including the following:

- Students will not converse with each other.
- Students will remain in their assigned seats.
- Students will work on the assignments provided.
- Students will eat lunch in the ISS room.
- Students will, except in emergencies, be scheduled to use the lavatory once each morning and once each afternoon.

Elementary students assigned to ISS will be placed under the general supervision of the principal or the principal's designee. The same guidelines

identified above for secondary students assigned to ISS will be implemented for elementary school children.

d. Short-Term Suspension Process

In the event a student is suspended from attendance upon instruction for between one (1) and five (5) days by a school principal, or acting principal in the absence of the building principal, the student and the student's parents shall be notified in writing, by personal delivery or express mail, and by telephone, if possible, within 24 hours of the suspension. Such written notice shall include a description of the incident resulting in the suspension and shall inform the parents of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents.

Upon such request, a conference with the principal and other parties involved shall be convened as soon as possible, at which time the evidence, including the witness relied upon by the principal in making the suspension determination, may be questioned by the parents. The right to an informal conference with the principal shall also extend to the student if the student is 18 years of age or older.

The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a continuing danger to persons or property or an ongoing threat of disruptions to the academic process. If the student's presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within five business days, unless they can show extraordinary circumstance precluding them from doing so. The superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the superintendent's decision, they must file a written appeal to the Board of Education with the district clerk within 10 business days of the date of the superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

e. Superintendent's Hearing- (Long-term suspension from school; more than five (5) days)

Superintendent's disciplinary hearings are conducted according to Section 3214 Education Law. Disciplinary issues are referred to a Superintendent's Hearing when repeated offences by a student, or the severity of a single offence, warrants consideration of a penalty greater than the five days of out-of-school suspension

that can be imposed by a principal. The kinds of offences brought to a Superintendent's Hearing include, but are not limited to, such acts as using or being in possession of illegal substances or drug paraphernalia; threatening or hitting a teacher; intimidating or attacking an individual for being a witnesses in a disciplinary proceeding; brandishing or being in possession of a weapon; sexually harassing a staff member or another student; and acts that are violent or threaten the health or safety of students and staff.

An accused student who is the subject of a Superintendent's Hearing will be so notified in writing by overnight mail. Such notification will inform the student and his/her parents of their rights. These include the right to be represented by counsel, the right to question witnesses against him/her, and the right to present witnesses or other evidence on his/her behalf.

If an accused student chooses to call witnesses, the student will provide the district with a list of those witnesses at least 48 hours prior to the hearing. Students, and the parents of students who are required to testify either on behalf of the district or the accused student, will be so notified the day prior to the hearing. The parents of a student witness will also be notified that they can attend the Superintendent's Hearing while their child testifies, providing their attendance is agreeable to the accused student. To protect the constitutional rights of the accused student, all witnesses who are called to testify are required to do so, and the hearing officer is empowered to issue a subpoena to any witness who is reluctant to testify.

At each hearing, witnesses will be sworn in before being asked to testify, and each witness can be questioned by representatives of the district or the accused. All physical evidence or documents related to the case must be submitted to the hearing officer so they can become part of the record and can be examined by all sides. In addition, the proceedings of the hearing will be recorded, and copies of the recording will be made available to the accused upon request. An individual witness may request a copy of the written transcript of his/her testimony only, providing that all information in violation on the Family Education Rights and Privacy Act is redacted from the transcript.

If the accused student is found guilty of the charges being brought against him/her, the hearing officer will review the student's record of behavior prior to deciding upon the penalty. The decision of the superintendent can be appealed to the Board of Education, and the decision of the Board of Education can be appealed to the Commissioner of Education.

C. Periods of Suspension for Substantially Disruptive or Violent Acts

1. Students who bring a weapon to school as an individual or member of a group- Any student found guilty of bringing a weapon onto school property will face suspension from school for at least one calendar year*. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law 3214. The superintendent has the authority to modify the one year suspension

on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the following:

- the student's age;
- the student's grade in school;
- the student's prior disciplinary record;
- the superintendent's belief that other forms of discipline may be more effective;
- the input from parents, teacher, and/or others;
- other extenuating circumstances.

2. Students who commit a violent act against a staff member as an individual or member of a group –

Any student who commits a violent act against a staff member will face suspension from school for at least one calendar year*. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law 3214. The superintendent has the authority to modify the one year suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

3. Students who commit violent acts as an individual or member of a group, other than bringing a weapon to school –

Any student who committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least five days*. If the proposed penalty is the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. The principal has the authority to modify the minimum five-day suspension on a case-by-case basis. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long term suspension. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

4. Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interfere with the teacher's authority over the classroom –

Any student who is repeatedly substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom will be suspended from school for at least five days*. For purposes of the Code of Conduct, "repeatedly substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by the teacher(s) pursuant to Education Law 3214(3-a) and the Code on four or more occasions during a semester, or three or more occasions during a trimester. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given

to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

- * A student with a disability may be suspended only in accordance with the requirement of state, federal and education law.

D. Referrals and Counseling

Support staff, which includes psychologists, nurses, social workers, and school counselors, shall handle all referrals of students to counseling.

E. PINS Petitions

The district may file a Person in Need of Supervision (PINS) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:

1. being habitually truant and not attending school as required by part one of Article 65 of the Education Law;
2. engaging in an ongoing or continual course of conduct which makes the student ungovernable or habitually disobedient and beyond the lawful control of school;
3. knowingly and unlawfully possesses marijuana in violation of Penal Law 221.05, a single violation of 221.05 will be a sufficient basis for filing a PINS petition;
4. being a juvenile delinquent or juvenile offender.

The superintendent or superintendent's designee is required to refer, any student under the age of 16 who is found to have brought a weapon to school, to the county attorney for a juvenile delinquency proceeding before the family court.

IX. Alternative Instruction

When a student has been suspended and is of compulsory attendance age, immediate steps shall be taken to provide alternative instruction as prescribed by Education Law 3214.

X. Discipline of Students with Disabilities

The Board recognizes that it may be necessary to suspend, remove, or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities require procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing, or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

The Code of Conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

A. Authorized Suspensions or Removals of Students with Disabilities

1. For purposes of this section of the Code of Conduct, the following definitions apply:
 - A "suspension" means a suspension pursuant to Education Law section 3214 (3)(a) through (d).
 - A "removal" means the removal of a student with a disability for disciplinary reasons from that student's current educational placement, other than a suspension; and the change of placement of a student with a disability to an IAES (Interim Alternative Educational Setting) by a superintendent of schools for behavior involving weapons, illegal drugs or controlled substances, commission of an act of serious bodily injury upon another in school or school premises as set forth in the Commissioner's Regulations, or by an impartial hearing officer in a dangerous situation.
 - A IAES means a temporary educational placement for a period of up to 45 school days, other than the student's current placement at the time the behavior precipitating the IAES placement occurred, that:
 - enables the student to continue to progress in the general education curriculum, although in another setting;
 - enables the student to continue to receive those services and modifications, including those described on the student's current IEP (Individualized Education Program), that will enable the student to meet the goals set out in such IEP;
 - includes services and modifications to address the behavior that precipitated the IAES placement that are designed to prevent the behavior from recurring.
2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
 - a. A building principal may order the placement of a suspended student with disability a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled students would be subject to suspension for the same behavior.
 - b. The superintendent may order the placement of a student with a disability into an IAES, another setting, or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.

- c. The superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
 - d. The superintendent may order the placement of a student with a disability in an IAES to be determined by the Committee on Special Education (CSE), for the same amount of time that a student without disability would be subject to discipline, but not more than 45 school days, if the student carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance or has inflicted serious bodily injury [as defined in Section 201.1(m)] upon another person while at school, on school premises, or at a school function, under the jurisdiction of the educational agency.
 - e. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
 - f. Removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removal of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined the behavior is not a manifestation of the student's disability.
 - g. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.
3. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 school days at a time, if maintaining the student in his or her current educational placement poses risk of harm to the student or others.

B. Change of Placement Rule

- 1. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
 - a. for more than 10 consecutive school days; or
 - b. for a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such

factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.

2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal.

However, the district may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances.

C. Special Rules Regarding the Suspension or Removal of Students with Disabilities

1. The district's Committee on Special Education shall:
 - a. Conduct functional behavioral assessment to determine why a student engages in a particular behavior and develop or review a behavioral intervention plan. If subsequently, a student with a disability who has a behavioral intervention plan and been suspended or removed from his/her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.

If one or more of the members of the CSE believe modifications are needed, the school district shall convene a meeting of the CSE to modify such a plan and its implementation to the extent the committee determines necessary.
 - b. Conduct a manifestation determination to review the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs, or controlled substances; or because maintaining the student in his/her current education setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.
2. The procedures aforementioned could apply to students not previously determined to be eligible for special education or related services. This would occur if the district had knowledge that the child was suspected of having a disability before the behavior that precipitated the disciplinary action occurred. The district will be deemed to have such knowledge if:
 - a. the parent/guardian has expressed a concern in writing to the supervisor or administrative personnel of the appropriate educational agency or to the teacher of the student that his/her child needs special education and related services;

- b. the child's behavior or performance demonstrates the need for these services;
- c. the parent has requested an evaluation of his/her child;
- d. the child's teacher or other school personnel have expressed concern about the child's behavior or performance to the Director of Special Programs or other school administration;
- e. the superintendent, building principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability;
- f. a student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability,
 - the parents of the student have not allowed an evaluation of the student pursuant to Section 200.4 of this part; or
 - the District has determined that the student is not a student with a disability pursuant to Sections 200.4 or 200.16 of this title; or
 - the parent of the student has refused services under this part.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors.

However, if a request for an individual evaluation is made while such a non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by the district, which can include suspension.

D. Expedited Due Process Hearings

- 1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:
 - a. the district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his/her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings;
 - b. the parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability or related to any

decision regarding placement, including but not limited to any decision to place the student in an IAES.

During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs, or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the district agree otherwise.

If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.

2. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing office may grant specific extensions of such time period, he/she must mail a written decision to the district and the parents within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

E. Referral to Law Enforcement and Judicial Authorities

In accordance with the provisions of IDEA and its implementing regulations:

1. The district may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement.
2. The superintendent shall ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported.

XI. Corporal Punishment

The use of the term "corporal punishment" in this regulation shall be defined as any act of physical force upon a student for the purpose of punishing that student. Corporal punishment is prohibited. However, reasonable physical force can be used for any of the following purposes:

- to protect oneself from physical injury;
- to protect another student or teacher or any other person from physical injury;
- to protect the property of the school or of others;
- to restrain or remove a student whose behavior is interfering with the orderly exercise and performance of school district functions, powers, or duties, if that student has refused to comply with a request to refrain from further disruptive acts, provided

alternative procedures and methods not involving the use of physical force cannot reasonably be employed to achieve the purposes set forth above.

Any use of corporal punishment must be reported both verbally and in writing as soon as possible to the staff member's immediate supervisor. Such reports must include all necessary facts leading to the use of corporal punishment as the means of correcting the problem. Any use of corporal punishment or complaint of such use must be investigated by the appropriate personnel of the district and a written report submitted to the superintendent.

XII. Student Searches and Interrogations

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law and may be required to conduct searches as a result.

A. Searches and Seizures

Students are protected by the Constitution from unreasonable searches and seizures. An authorized school official may conduct a search and seize contraband on school grounds or in a school building only when the school district employee has reasonable suspicion to believe the student is engaging in proscribed activity that is in violation of school rules and/or is illegal. The superintendent, building administrators, school nurses, and district security officials are authorized to conduct such searches. Parental permission or presence is not required, however, where practical, the searches will be conducted in the presence of more than one district employee.

An authorized school official may search a student or the student's belongings based upon information received from a district employee or an informant. An individual, other than a district employee, will be considered an informant if that person has previously supplied information that was accurate and verified, made an admission against his/her own interest, provided the same information that is received independently from other sources, or the information he/she is communicating is related to an immediate threat to safety.

Before searching a student or the student's belongings, the authorized school official should attempt to get the student to admit to possessing physical evidence that he/she violated the law or the district code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Whenever practicable, a search will be conducted in the privacy of an administrative office with the student present when his/her possessions are being searched. Again, if possible, the search will be conducted in the presence of more than one district employee. (Refer to section - *Questioning of Students*)

Some factors to be considered in determining whether reasonable suspicion exists to search a student or the student's belongings include but are not limited to:

- the age of the student;
- the student's record and past history;
- the predominance and seriousness of the problem in the school where the search is directed;
- the urgency to conduct the search without delay.

B. Documentation of Searches

The authorized school official conducting the search shall be responsible for promptly recording the following information about each search:

- name, age, and grade of student searched;
- reasons for the search;
- purpose of search (that is, what item was being sought);
- type and scope of search;
- person conducting the search and his/her title and position;
- witnesses, if any, to the search;
- time and location of search;
- results of search (that is, what items were found);
- disposition of items found;
- time, manner, and results of parent notification.

The building principal or the principal's designee shall be responsible for the custody, control, and disposition of any illegal or dangerous item taken from a student. The principal or the principal's designee shall clearly label all items taken from the student and retain control of the items until they are turned over to the police. The principal or principal's designee shall be responsible for personally delivering dangerous or illegal items to police authorities.

C. Student Lockers, Desks, and Other School Storage Places

Although provided by the school district for student use, lockers, desks, and other such storage spaces remain the exclusive property of the school district. Students should have no expectation of privacy with respect to these areas and school officials retain complete control over them. This means school officials have the right to search such areas. The district officials reserve the right to call upon police authorities to undertake periodic searches of lockers through the use of canine units.

D. Questioning of Students

School officials have the right to question students regarding any violation of school rules or illegal activity. Investigations concerning reports of misconduct are to be conducted by the administration in a timely manner, and the investigation may include but not be limited to the questioning of students, staff, parents, or other individuals as may be appropriate. Students may request the presence of another staff member during questioning. The granting of the request will be at the discretion of the school administrator, subject to considerations such as the availability of staff. An individual who is questioned may be asked to write and sign his/her responses, or prepare a written and signed statement indicating what he/she knows about an incident in question. If the student is unable to do so, the student's responses may be written down by the administrator. Parents of children who are so questioned will be notified in a timely

manner, and whenever possible within the same day of the questioning, in the event the infraction under investigation is of a serious nature or illegal. In the event a parent cannot be reached, the administrator will continue to attempt to make phone contact during the course of the day and the following morning, and log the time of each attempt. If phone contact cannot be made, a certified letter of notification will be mailed to the parents.

Should the questioning of students by school officials focus on the actions of a particular student, that student will also be questioned by an administrator, and that student may be asked to write and sign his/ response to questions, or prepare a written and signed statement indicating what he/she knows about the incident in question. The student's parent will be contacted if the actions under investigation are serious or illegal. If this is not the case, the parent may be contacted and the degree, if any, of parent involvement will vary depending upon the nature and the reason for questioning, and the necessity for further action that may occur as a result (*also see District Policy #7330 Law Enforcement and Search*).

E. Police Involvement

Staff of the Pine Bush Central School District will notify police when activities that occur on school grounds are illegal, or when an emergency situation occurs that, in the estimation of the administrative staff, requires police involvement. Under circumstances where a student has violated the law on school grounds and criminal proceedings may follow, the police will assume their normal role including that of investigator.

Generally, police investigations of incidents that occur out of school cannot be conducted on school grounds. The district will release students from classes to meet with the police in such cases only with parent consent, or if the police present a warrant. (*also see District Policy #7330 Law Enforcement and Search*).

F. Child Protective Services Investigations

Consistent with the district's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the district will cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, neglect, or custody investigations.

All requests by the child protective services to interview a student on school property shall be made directly to the building principal or his/her designee. The principal or principal's designee shall set the time and place for the interview. The principal or principal's designee shall decide if it is necessary and appropriate for a school official to be present during the interview, depending on the age of the student being interviewed and the nature of the allegations. If the nature of the allegations is such that it may be necessary for the student to remove any of his/her clothing in order for the child protective services worker to verify the allegations, the school nurse or other district medical personnel must be present during that portion of the interview. No student may be required to remove his/her clothing in front of a child protective services

worker or school district official of the opposite sex, other than a school nurse or other medical district personnel.

A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes the student would be subject to danger of abuse if he/she were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.

XIII. Visitors to the Schools

The Board encourages parents and other community members to visit the district's schools and classrooms to observe the work of students, teachers, and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The building principal or principal's designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors:

- Anyone who is not a regular staff member or student of the school will be considered a visitor.
- A visitor to the school must report to the office of the principal, or the greeter's desk, upon arrival at the school. There the visitor will be required to show an ID and sign the visitor's register before being issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the visitor's identification badge to the principal's office, or greeter's desk, and sign out before leaving the building.
- Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
- Parents or other community members who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher and/or the building principal, so class disruption is kept to a minimum.
- It is expected that class time will not be used to discuss individual matters with visitors.
- Any unauthorized person on school property will be reported to the principal or the principal's designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants such action.
- All visitors are expected to abide by the rules for public conduct on school property that are contained in the Code of Conduct.

XIV. Public Conduct on School Property

The district is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code, "public" shall mean all persons on school property or attending a school function including students, teachers, and district personnel. The restrictions on public conduct on school property and at school functions contained in the Code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of the Code is to

maintain public order and prevent abuse of the rights of others. All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose their presence (*also see District Policy #3230 Community Use of School District facilities*).

A. Prohibited Conduct

No person, either alone or with others, shall:

1. intentionally injure any person or threaten to do so;
2. intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee, or any person lawfully on school property;
3. disrupt the orderly conduct of classes, school programs, or other school activities;
4. distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program;
5. intimidate, harass, or discriminate against any person on the basis of race, color, weight, religion, religious practice, creed, national origin, ethnic group, gender (identity and expression), sex, sexual orientation or disability;
6. enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed;
7. obstruct the free movement of any person in any place to which the Code applies;
8. violate the traffic laws, parking regulations, or other restrictions on vehicles;
9. possess, consume, sell, distribute, or exchange alcoholic beverages, or controlled substances, or be under the influence of alcohol or controlled substances on school property or at a school function;
10. possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or those specifically authorized by the school district;
11. loiter on or about school property;
12. gamble on school property or at school functions;
13. refuse to comply with any reasonable order of identifiable school district officials performing their duties;
14. willfully incite others to commit any of the acts prohibited by this code;
15. use profane, obscene, or provoking language, actions, or gestures;
16. violate any federal or state statute, local ordinance, or Board policy while on school property or while at a school function.

B. Penalties

Persons who violate the Code shall be subject to the following penalties:

1. Visitors -- authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. Students -- shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.

3. Tenured faculty members -- shall be subject to disciplinary action as the facts may warrant in accordance with Education Law §3020-a or any other legal rights that they may have.
4. Staff members -- in the classified service of the civil service entitled to the protection of Civil Service Law §75, shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights they may have.
5. Staff members -- other than those described in subdivisions 4 and 5 shall be subject to warning, reprimand, suspension, or dismissal as the facts may warrant in accordance with any legal rights they may have.

C. Enforcement

The building principal or the principal's designee shall be responsible for enforcing the conduct required by this code. When the building principal or the principal's designee sees an individual engaged in prohibited conduct that, in the judgment of the principal or the principal's designee, does not pose any immediate threat of injury to persons or property, the principal or principal's designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal or the principal's designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the principal or the principal's designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person. The district shall initiate disciplinary action against any student or staff member, as appropriate, with the "Penalties" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the Code (*also see District Policy #3230 Community Use of School District Facilities*).

XV. Dissemination and Review

A. Dissemination of Code of Conduct

The Board will work to ensure the community is aware of the Code of Conduct by:

1. providing a copy of the Code in the summer of the 2001-2002 school year to all families who have children attending the district;
2. providing a copy of the Code to all new student registrants of the district;
3. Incorporating the Code of Conduct into the student handbooks of students in grades 6-12;
4. providing a revised version of the Code of Conduct appropriate for students in grades K-5;
5. providing all current teachers and others staff members with a copy of the Code and a copy of any amendments to the Code as soon as practicable after adoption;
6. providing all new employees with a copy of the current Code of Conduct when they are first hired;
7. making copies of the Code available for review by community members;
8. providing a copy of the Code on the district's website.

The Board will sponsor an in-service education program for all district staff members to ensure the effective implementation of the Code of Conduct. The superintendent may solicit the recommendations of district staff, particularly teachers and administrators, regarding in service programs pertaining to the management and discipline of students.

The Board of Education will review the Code of Conduct every year and update it as necessary. In conducting the review, the Board will consider how effective the code's provisions have been and whether the Code has been applied fairly and consistently.

The Board may appoint an advisory committee to assist in reviewing the Code and the district's response to Code of Conduct violations. The committee will be made up of representatives of students, teachers, administrators, parent organization representatives, school safety personnel, and other school personnel. Before adopting any revisions to the code, the Board will hold at least one public hearing at which school personnel, parents, students, and any other interested parties may participate. The Code of Conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.

A P P E N D I X

Student Discipline Chart

STUDENT DISCIPLINE CHART

This discipline chart will be used during the school year as a recommendation to school administrators so students that violate the District Code of Conduct are dealt with in a consistent and fair manner. Disciplinary action will be determined at the discretion of the administrator, with consideration of the relevant behavior record of the student. Penalties may be modified with consideration of extenuating circumstances or the severity of the infraction, based on the disciplinary penalties and procedures outlined in the District Code of Conduct. Steps 1, 2, 3, 4, 5 indicate progressive disciplinary penalties for subsequent violations.

INFRACTION	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
Assault/Violence	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's hearing	OSS 1-5 days Superintendent's Hearing
Cutting	Warning and/or administrator or teacher conference with student Detention 1-5 days	Detention 1-5 days	ISS 1-5 days	ISS 1-5 days	ISS 1-5 days
Drugs	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing
Endangerment	Warning and/or administrator or teacher conference with student Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing
Explosives	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing
Fighting	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing
Gambling	Warning and/or administrator or teacher conference with student Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing
Harassment/ Discrimination / Bullying	Warning and/or administrator or teacher conference with student Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing
Insubordination	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing
Leaving Building	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing
Leaving Grounds	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing
Misconduct/ Disruptive Activity	Warning and/or administrator or teacher conference with student Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing
Pass Abuse	Detention 1-5 days ISS 1-5 days	Detention 1-5 days ISS 1-5 days	Detention 1-5 days ISS 1-5 days	Detention 1-5 days ISS 1-5 days	Detention 1-5 days ISS 1-5 days
Profanity (non- directed)	Warning and/or administrator or teacher conference with student Detention 1-5 days ISS 1-5 days	Detention 1-5 days ISS 1-5 days	ISS 1-5 days OSS 1-5 days	ISS 1-5 days OSS 1-5 days	OSS 1-5 days Superintendent's Hearing

INFRACTION	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
Profanity (directed)	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing
Smoking	OSS 1-5 days	OSS 1-5 days	OSS 1-5 days	OSS 1-5 days	OSS 1-5 days
Tardiness (group of 3)	Detention 1-5 days	Detention 1-5 days ISS 1-5 days	ISS 1-5 days	ISS 1-5 days	ISS 1-5 days
Theft	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing
Tobacco Products	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing
Truancy	ISS 1-5 days	ISS 1-5 days	ISS 1-5 days	ISS 1-5 days	ISS 1-5 days
Unauthorized/ Unsupervised Area	Warning and/or administrator or teacher conference with student Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing
Vandalism (must repay or repair)	Warning and/or administrator or teacher conference with student Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing
Weapon	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing
Academic Misconduct (may include cheating, plagiarism)	Student receives a grade of zero for work or exam				
Driving/Parking	Loss of parking privilege				
Failure to Serve Detention	ISS				
Failure to Serve ISS	OSS				

Detention: Students must be on time and sit quietly for the entire time. May include **Extended Detention** at the High School.

In School Suspension (ISS): Students are assigned to an alternative educational location. Students will be given credit for all work completed and for attendance.

Out of School Suspension (OSS): Students are not allowed to attend school or school-related functions, except for district-provided tutoring, when assigned. Tutoring will be provided.

Attachment B

Pine Bush Central School District

A Living Document that will be Revised and Updated throughout the 2014-2015 School Year

ACTION PLANING GRID: Student Education Committee

Overall Goal: To develop a comprehensive, consistent and coordinated student education plan that will promote diversity and prevent bullying for all students within the seven schools of the Pine Bush Central School District.

Specific Steps to Accomplish the Goal	Resources Needed	Person/Group Who Will be Responsible	Timeline		Evidence of Success or Completion	Date to be Evaluated	Evaluated by Whom?
			Beginning	Completion			
All 7 schools will register as "No Place for Hate" on the ADL website	Free	Building Principals	Deadline to register: 10/15/14	June 2015	Recognition from ADL and award of banners for each school to display	May 2015	ADL Staff
All schools will participate in the following district-wide events <ul style="list-style-type: none"> No Place for Hate Kick-Off Day and Pledge Signing Red Ribbon Week No Name Calling Week Upstanders Day 	Developed through the PBIS Committees at each building	PBIS, NPFH Committee & School Administrators	Oct. 2014 10/23-31/14 1/19-23/15 5/19/15		Press release following each event	As events occur	No Place for Hate Committee
All 7 schools will have 2 consistent assemblies/programs that specifically address <ul style="list-style-type: none"> No Place for Hate: bias and discrimination Bullying, Harassment and Intimidation 	ADL assemblies and/or facilitators	ADL	One in the fall	One in the spring	Staff evaluation forms will be completed after events	June 2015	Administrators
Students in Grades 4-8 and 9-12 will participate in lessons that promote respect for diversity and inspire action against prejudice	ADL – A World of Difference Institute Anti-Bias Guide Secondary Level	Classroom Teachers	1 lesson per semester		Student exit tickets for each lesson	Immediately following lessons	Teachers
Selected students at both MS's and HS will participate in 2 full days of training from the ADL's Peer Leadership Program. *These students will also have an active role in the assemblies/programs at their schools.	ADL facilitators and materials	HS/MS AP's, NPFH Committee, PBIS Committee	Fall 2014	December 2014	ADL Course Completion Certificates	At end of course	ADL Facilitators

Specific Steps to Accomplish the Goal	Resources Needed	Person/Group Who Will be Responsible	Timeline		Evidence of Success or Completion	Date to be Evaluated	Evaluated by Whom?
			Beginning	Completion			
Peer Leaders will develop one building-wide service project at their building that addresses bullying, harassment, discrimination, and bias that promote attitudinal change.	TBD	Building AP's, NPFH Committee, PBIS Committee	December 2014	June 2015	Peer Leaders will develop goals, objectives and evaluation measures	June 2015	Building AP's
Development of 2 student clubs at each MS that will feed into the Multi-Cultural Diversity Club at PBHS *Clubs will meet 1 time per week throughout the school year	Stipends for advisors	Appointed Teachers	August 2014	June 2015	Culminating project of event	June 2015	Building Administrators
Students in Grades 8, 10, and 12 will participate in the Youth Risk Survey	Survey developed by the Center for Research, Regional Education and Outreach (CRREO)	OUBOCES	November 2014	Longitudinal data will be collected over the next 6 years.	BOCES will work with CRREO on data collection and analysis	Spring 2015	NPFH Committee

ACTION PLANING GRID: Staff/Teacher Education Committee

Overall Goal: To help all adults within the Pine Bush Central School District community recognize bias and the harm it inflicts on individuals and society; explore the value of diversity; improve intergroup relations; and combat racism, anti-Semitism and all forms of prejudice and bigotry.

Specific Steps to Accomplish the Goal	Resources Needed	Person/Group Who Will be Responsible	Timeline		Evidence of Success or Completion	Date to be Evaluated	Evaluated by Whom?
			Beginning	Completion			
All staff will participate in 2 common professional development sessions regarding <ul style="list-style-type: none"> The adoption of the No Place for Hate initiative Addressing bias, discrimination and bullying in our schools 	ADL materials and resources	ADL Facilitators and Building Principals	October 2014	June 2015	Professional development agendas and meeting notes	June 2015	NPFH Committee
All teachers will participate in 2 self-reflection exercises that follow-up on the district-wide professional sessions at building level or district level meetings, i.e., BLT, DLT, Faculty Meetings, Department Meetings, Instructional Council	Activities provided by ADL	Meeting Facilitators	September 2014	June 2015	Meeting minutes and/or work samples from activities	June 2015	NPFH Committee
The district NPFH Committee will meet 3-4 times during the 2014-2015 school year to coordinate, plan and implement the activities associated with the district's NPFH Action Plan.	Half-day meetings	NPFH Facilitators, Superintendent, Assistant Superintendent for Instruction	August 2014	June 2015	Meeting agendas and minutes	June 2015	NPFH Committee
Establish a Google Site for NPFH News and Notes and lists of materials, resources and websites	Google Account	Elementary and Secondary Technology Integration Specialists	October 2014	June 2015	Update and release throughout the school year	June 2015	NPFH Committee

ACTION PLANING GRID: Community Education Committee

Overall Goal: To engage the Pine Bush Central School District community in a collaborative approach to prepare our students to live and work successfully in a diverse society.

Specific Steps to Accomplish the Goal	Resources Needed	Person/Group Who Will be Responsible	Timeline		Evidence of Success or Completion	Date to be Evaluated	Evaluated by Whom?
			Beginning	Completion			
Sponsor 2 evening screenings of the movie "Bullied – A Teaching Tolerance Documentary" for students in grades 6-12 and their families *North and South Ends of the District • Publicize events • Facilitate pre & post discussions • NHS will provide babysitting for siblings	Movie and discussion guide	Peer Leaders trained by ADL and Excelsior Education Academy Students	Fall 2014		Sign-in Sheets from Event	June 2015	NPFH Committee
Home-School Connection • Send home an informational brochure about the No Place for Hate initiative to Pre-K – Grade 5 parents • Create NPFH link on district website	ADL materials	PBIS & NPFH Committee, Director or Technology	October 2014	June 2015	Monthly updates on upcoming activities and events from all 3 NPFH sub-committees	June 2015	NPFH Committee
2 Evening Elementary Family Programs/Assemblies focused on Bullying *North and South Ends of the District	ADL Facilitators and Upwards Basketball Programs	NPFH Committee	Winter 2015	Spring 2015	Parent sign-in sheets and handouts	June 2015	NPFH Committee
Production of Community Outreach, You Tube, or Lip Dub that supports the NPFH initiative	Collaborative Project	NPFH Committee, Building & District Administrators, Community Members & NPFH Peer Leaders	October 2014	June 2015	Publicity for production	June 2015	NPFH Committee

Attachment C



A CLASSROOM OF DIFFERENCE™

Participant Workbook

A WORLD OF DIFFERENCE® Institute



Pine Bush Central School District

 Find us on
Facebook

www.facebook.com/a.world.of.difference.institute



Anti-Defamation League®

© 2014 Anti-Defamation League
605 Third Avenue
New York, NY 10158-3560
(212) 885-7700/885-7800
(212) 867-0779/490-0187 (Fax)
www.adl.org

Printed in the United States of America
All rights reserved

This Participant Workbook is provided as part of the A WORLD OF DIFFERENCE® Institute A CLASSROOM OF DIFFERENCE™ program as authorized by the Anti-Defamation League. No part of this book may be reproduced or utilized in any form or by any means, electronic or mechanical, including photocopying and recording, or by any information storage and retrieval system, without permission in writing from the publisher.

TABLE OF CONTENTS

INTRODUCTION	5
The Anti-Defamation League	5
A WORLD OF DIFFERENCE® Institute	5
Goals of A CLASSROOM OF DIFFERENCE™	6
The Rationale for Anti-Bias Education.....	7
Philosophy of A WORLD OF DIFFERENCE® Institute.....	12
Anti-Bias Mastery Skills	15
Basic Premises of A WORLD OF DIFFERENCE® Institute.....	16
Why Should Adults Care About Name-Calling and Bullying	17
Working Definitions	19
Pyramid of Hate	22
Definitions Related to Name-Calling, Bullying and Bias	23
Definitions Related to Sexual Orientation and Gender Identity	24
Definitions of Race, Ethnicity and Nationality	28
Nonverbal Communication Across Cultures.....	30
Responding to Prejudice: Tips for Educators.....	33
Responding to Bigoted Words	36
I Didn't Mean It Like That	38
Zero Indifference: A Guide to Stop Name-Calling & Bullying	39
Curriculum Connections: Free Online Resource	44
Communication Guidelines Relating to Ability	45
Dos and Don'ts with Special Diversity Events	48
Guidelines for Challenging Prejudice and Discrimination	53
Guidelines for Achieving Bias-Free Communication	55
Misdirections in Bullying Prevention and Intervention.....	57
Suggested Language for People With Disabilities	60
Ten Things Students Wish Teachers Knew about Name-Calling & Bullying.....	61
Toward Communication Free of Gender Bias	62
What Can Be Done About Name-Calling and Bullying? Some Best Practices.....	65



INTRODUCTION

THE ANTI-DEFAMATION LEAGUE

The Anti-Defamation League was founded in 1913 “to stop the defamation of the Jewish people and to secure justice and fair treatment to all.” Now the nation’s premier civil rights/human relations agency fighting anti-Semitism and all forms of bigotry, ADL defends democratic ideals and protects civil rights for all.

A leader in the development of materials, programs and services, ADL builds bridges of communication, understanding and respect among diverse groups, carrying out its mission through a network of 27 Regional and Satellite Offices in the United States and abroad.

A WORLD OF DIFFERENCE® INSTITUTE

The Anti-Defamation League’s A WORLD OF DIFFERENCE® Institute is a market leader in the development and delivery of anti-bias and diversity training and resources. Human relations and education professionals design training modules and produce curricula that provide the necessary skills, knowledge and awareness to promote and sustain inclusive and respectful school, work and home environments. Customized to meet the changing needs of a wide range of audiences, programs are available to schools, universities, corporations and community-based organizations throughout the United States and abroad.

The origins of the A WORLD OF DIFFERENCE® Institute date back to 1985, when ADL and WCVB-TV in Boston initiated the A WORLD OF DIFFERENCE campaign, a year-long series of education and media-driven programs designed to combat prejudice and create effective tools to address these issues in the classroom and community. The campaign’s immense success led to ongoing programs in Boston and 28 U.S. cities and several national awards including a Peabody, Gabriel, and Scripps-Howard.

In 1992, in an effort to meet the increasing demand for its services and to formalize and coordinate its anti-bias research, programming and training efforts, the League created and officially launched the A WORLD OF DIFFERENCE® Institute, comprised of four distinct departments – CLASSROOM, CAMPUS, COMMUNITY, and WORKPLACE.

A WORLD OF DIFFERENCE® Institute training programs and curricular materials are developed and evaluated by a research department that interacts on an ongoing basis with professionals in the field. The Institute collaborates with universities, colleges and national funding sources to study and enhance the efficacy of its programs. These collaborations have included formal studies with prominent institutions including Yale University, Columbia University Teachers College, Claremont Graduate School and the University of Pennsylvania.



Through the development and delivery of its programs and resources, the Institute seeks to help participants: recognize bias and the harm it inflicts on individuals and society; explore the value of diversity; improve intergroup relations; and combat racism, anti-Semitism and all forms of prejudice and bigotry.

A CLASSROOM OF DIFFERENCE™ is at the heart of the Institute, developed to address diversity in the pre-kindergarten through 12th grade school communities. Programs include workshops for teachers, classified staff, administrators, students and family members.

GOALS OF A CLASSROOM OF DIFFERENCE™

The following are the overall goals of A CLASSROOM OF DIFFERENCE™ for all audiences:

- To promote respectful, inclusive and safe learning environments and communities
- To build understanding of the value and benefits of diversity
- To improve intergroup relations
- To eradicate anti-Semitism, racism and all forms of bigotry
- To encourage personal responsibility in the promotion of justice and equity.

THE RATIONALE FOR ANTI-BIAS EDUCATION

Schools in the United States have long played a vital role in supporting the nation's democratic ideals. Providing all students with a quality education — one in which academic and social development are inseparable goals — is essential to creating equal access to opportunity and fostering responsible citizenship. The challenges of fulfilling this obligation, including poverty, inequitable funding for the nation's schools and changing political priorities, are heightened in an educational climate whose primary focus is accountability for student achievement as measured by standardized test scores.

Developing academic knowledge and skills in students is a primary goal of formal education. A curriculum focused solely on traditional academic fields, however, fails to fulfill the deeper mission of education in a democracy and to acknowledge the impact schools have on the larger society. Recognizing the need to prepare students to live and work successfully in a pluralistic nation and a global community, educators can engage in a collaborative process to achieve the ideals of justice and equality upon which the nation was founded.

The inequities and social tensions that exist in U.S. society are also present in the hallways of our nation's schools. Because schools are both educating and socializing institutions, the potential exists for them to establish frameworks that challenge intolerance and promote safety, fairness and respect.¹ Students' successful pursuit of academic excellence depends on their ability to learn in a safe and inclusive environment.

The rapidly increasing diversity of our nation presents both a windfall of benefits and new challenges. When diversity — differences in race, religion, sexual orientation, language, culture, learning style, class, body type and ability — is not valued and respected, the resulting fear and lack of understanding can fuel intergroup tension. The potential for conflict, discrimination and scapegoating is high when prejudice and stereotypes go unchallenged or are ignored. Left unexamined, biased attitudes can lead to biased behaviors, which have the potential to escalate into violent acts of hate. Youth violence, hate crimes, bullying and harassment occur today at alarming rates, have a powerful impact on the entire educational community, and underline the imperative for schools to address issues of prejudice and discrimination.

Biased behavior can be subtle or overt. In schools, name calling and acts of social exclusion are the most common examples of discriminatory behavior and prejudicial thinking. Although children are not born prejudiced, from as early as six months of age, infants can distinguish differences in physical appearances, and by ages 3-5, children may also begin to develop

¹ Rosemary Henze et al, *Leading for Diversity: How School Leaders Promote Positive Interethnic Relations* (Thousand Oaks: Corwin Press, 2002), p. 2.



negative attitudes toward differences.² In an attempt to minimize the development of prejudice, well-meaning adults often teach children to ignore differences and focus only on similarities. Just as common experiences are part of the “glue” that holds communities together, understanding and respecting differences are essential for successful multicultural societies.

Anti-bias education is a comprehensive approach to learning designed to actively challenge prejudice, stereotyping and all forms of discrimination. Anti-bias education incorporates multicultural curriculum that reflects diverse experiences and perspectives, instructional methods that advance the learning of all students, and tools to establish and sustain a safe, inclusive and respectful learning environment and school community. Ultimately, anti-bias education engages students in the exploration of social problems and empowers them to take active steps to create a more just and peaceful world, where all groups share equal access to opportunity and every person can flourish.

The Impact of Hate and Bias on School Communities

The behaviors and attitudes motivated by hate can take many forms that are best understood as occurring along a continuum. Hate crimes represent the most extreme example of hate perpetrated by individuals. Under the mandate of the 1990 Hate Crime Statistics Act (HCSA), the FBI annually collects and compiles hate incident data from local law enforcement agencies. Despite the fact that the majority of bias-motivated crimes go unreported, the FBI chronicles and categorizes several thousand hate incidents each year. The trends revealed within the numbers have serious implications for our nation’s youth.

Roughly a third of all known hate crime offenders and a third of all victims of bias-motivated aggravated assault are under 18 years of age.³ About one out of every ten hate crime incidents reported occurs at schools and colleges.⁴ In addition, organized hate groups have taken advantage of the Internet, exploiting it as a recruitment tool and leaving today’s young people more vulnerable than ever to hate-motivated thinking and behaviors.

Schools are now expected to shoulder an increasing legal, as well as moral, responsibility for combating hate crimes since so many of the perpetrators and the victims are of school age. When a bias-motivated incident occurs at school, feelings of safety are diminished and many students feel vulnerable, insecure and alienated. Ultimately, these feelings contribute to a school climate where learning is disrupted and instructional time must be increasingly used for classroom management. School violence, also a prevalent problem, inflicts a similar impact.

² Caryl Stern-LaRosa, and Ellen Hofheimer Bettmann, *Hate Hurts: How Children Learn and Unlearn Prejudice* (New York: Scholastic, 2000), 22–25.

³ Kevin J. Strom, *Hate Crimes Reported in NIBRS, 1997-1999* (Washington, DC: Department of Justice, Office of Justice Programs, 2001), pp. 1, 4, <http://www.ojp.gov/bjs/pub/pdf/hcrn99.pdf>.

⁴ Uniform Crime Reporting Program, *Hate Crime Statistics, 2002* (Washington, DC: Federal Bureau of Investigation), p. 19, <http://www.fbi.gov/ucr/hatecrime2002.pdf>.

Research consistently indicates that school violence and bullying are serious concerns for school communities. According to recent studies conducted by the U.S. Department of Education and U.S. Department of Justice, the educational experience of many students includes being threatened or injured with a weapon on school property (1 in 11 students in grades 9-12), carrying a gun or knife themselves (1 in 17 students in grades 9-12), and being the victim of a crime (1 in 20 students ages 12-18). More than a third of all students ages 12-18 report having observed hate-related graffiti, 1 in 8 students have had hate-related words used against them, and virtually every student hears insults, put-downs and taunts multiple times each day. Students feel less safe at school than away from school, and 1 in 14 students report that they are sometimes or most of the time fearful about their safety at school.⁵ Not surprisingly, hate-motivated behavior and school violence intensify in a culture where bullying and harassment are not addressed or when they are accepted as part of "growing up."

FACTS & FIGURES

According to the U.S. Departments of Education and Justice:

1 in 11 students in grades 9-12 is threatened or injured with a weapon on school property.

1 in 17 students in grades 9-12 reports carrying a gun or knife to school.

1 in 20 students ages 12-18 is a victim of a crime.

Recent research indicates that almost a third of students in grades 6-10 report direct involvement in bullying each month, either as targets, perpetrators or both.⁶ An overwhelming majority of students (83% of girls and 79% of boys) report regularly experiencing harassment at school,⁷ and 10,000 children stay home from school at least once a month due to the fear of being bullied.⁸ In spite of research pointing to the dangerous effects of bullying, many children report that this behavior is in fact part of a natural and acceptable social order.⁹ Given the wealth of research on the extensiveness of bullying, this may in fact be the most prevalent form of violence in schools and the most likely to affect the greatest number of students.

⁵ Jill F. DeVoe et al, *Indicators of School Crime and Safety: 2003*, NCES 2004-004/NCJ 201257 (Washington, DC: U.S. Departments of Education and Justice, 2003), <http://www.ojp.usdoj.gov/bjs/abstract/iscs03.htm>.

⁶ Tonja R. Nansel, Mary Overpeck, Ramani S. Pilla, W. June Ruan, Bruce Simons-Morton, Peter Scheidt, 2001, "Bullying Behaviors Among US Youth: Prevalence and Association With Psychosocial Adjustment," *Journal of the American Medical Association*, 285(16):2094-2100.

⁷ Jodi Lipson, *Hostile Hallways: Bullying, Teasing, and Sexual Harassment in School* (Washington, DC: American Association of University Women Educational Foundation, 2001), p.4. <http://www.aauw.org/research/upload/hostilehallways.pdf>.

⁸ Centers for Disease Control and Prevention, 2001, School Health Guidelines to Prevent Unintentional Injuries and Violence. *MMWR Weekly* 50(RR-22), <http://www.cdc.gov/mmwr/PDF/rr/rr5022.pdf>.

⁹ J.H. Hoover, R. Oliver, and R.J. Hazer, 1992, Bullying: Perceptions of adolescent victims in the midwestern U.S.A., *School Psychology International* 13.



Responding to the Needs of a Diverse Student Population

School populations today reflect a rich diversity of experiences based on race, religion, ethnicity, nationality, language, ability, sexual orientation, gender, family structure and community. Schools benefit from this diversity through access to an enhanced knowledge base, repertoire of skills and additional perspectives, which increase students' intellectual engagement, problem-solving capabilities and innovation. Through opportunities to interact socially and academically with others from diverse backgrounds, students learn "skills that will be invaluable in their adult lives."¹⁰

The diversity of the community is a resource that offers rich and varied benefits to schools, but success in ensuring equal opportunities to learn for all students often requires new strategies. For example, research shows that at every socioeconomic level, teachers are likely to expect lower performance from black, Latino/a and Native American students. Although everyone has prejudices that affect interactions with others, low expectations in the classroom coupled with challenges that result from cultural differences can result in lower academic achievement, limited student learning, diminished student self-image,¹¹ and disproportionate assignment of students of color to remedial classes.¹² Teachers' cultural competence holds a great potential to positively influence student learning. Teachers can successfully nurture the gifts inherent in each student by implementing instructional strategies that foster respectful intergroup relations and counter the effects of poverty and institutional prejudice.

The job that teachers take on — to help students learn and become successful and responsible citizens — is as awesomely challenging as it is important. Heightened emphasis on assessment, limited resources, and a perpetual shortage of time make these responsibilities even more difficult. To succeed, teachers need ongoing administrative support and opportunities for meaningful professional development. Cultural competence grows from opportunities to explore how personal experiences, culture and attitudes impact teaching practices, to develop skills to confront prejudice and discriminatory behavior in oneself and others, to examine school and classroom policies and procedures for bias and inequities, and to increase understanding of the many cultures that make up the classroom and the nation. Anti-bias education provides teachers with instructional approaches that incorporate:

- inclusive curriculum based on the ideals of justice and equality and designed to engage students and ensure that the voices of all students are heard;
- cultural competency strategies that help teachers explore their beliefs, communication patterns and classroom practices to be responsive to students' cultures, abilities and beliefs;

¹⁰ Gary Orfield, "Foreword," in *Debunking the Middle Class Myth: Why Diverse Schools are Good for All Kids*, Elaine Gale, Kugler (Lanham: Scarecrow Education, 2002), p. ix.

¹¹ Crystal Kuykendall, Ed. D, J.D., *Improving Black Student Achievement by Enhancing Students' Self Image* (Chevy Chase: Mid Atlantic Equity Center, 1989), p. 2, <http://www.maec.org/pdf/kuykendall.pdf>.

¹² *Education Watch The Nation: Key Education Facts and Figures*, Spring 2004 (Washington, DC: The Education Trust), <http://www2.edtrust.org/edtrust/summaries2004/USA.pdf>.

- facilitation techniques to enhance active learning, assist students in expanding their existing base of knowledge and build empathy for the experiences of others; and
- cooperative learning to foster inclusiveness, break down stereotypes and lead to friendships and equitable relationships that model respect for differences.

Conclusion

Today's students will eventually become adults in a society where tens of millions of people live in poverty,¹³ with the wealth gap between the rich and the rest of society continuing to increase;¹⁴ where international events often spurn hatred and mistrust toward neighbors, and where one in every 32 adults is involved in the correctional system.¹⁵ In light of these conditions, providing students with the skills necessary to improve society within a framework of strengthening academic achievement may be the best hope for a future where the democratic ideals of justice and equality are realities.

¹³ Carmen DeNavas-Walt, Bernadette D. Proctor, and Robert J. Mills, *Income, Poverty, and Health Insurance Coverage in the United States: 2003*, Current Population Reports, P60-226 (Washington, DC: U.S. Census Bureau, 2004), <http://www.census.gov/prod/2004pubs/p60-226.pdf>.

¹⁴ Ana M. Aizcorbe, Arthur B. Kennickell, and Kevin B. Moore, 2003, "Recent Changes in U.S. Family Finances: Evidence from the 1998 and 2001 Survey of Consumer Finance," *Federal Reserve Bulletin* 89, <http://www.federalreserve.gov/pubs/oss/oss2/2001/bull0103.pdf>.

¹⁵ Bureau of Justice Statistics, 2005, Correction statistics, <http://www.ojp.usdoj.gov/bjs/correct.htm>.



PHILOSOPHY OF A WORLD OF DIFFERENCE® INSTITUTE

The foundation of the anti-bias work of the A WORLD OF DIFFERENCE® Institute is based on the following beliefs:

- Racist, anti-Semitic, sexist, homophobic and other biased attitudes, beliefs and patterns of thinking and action are “taught” to young people, consciously and unconsciously, through venues such as families, schools, religious organizations and the media.
- Such teaching is “learned” and internalized by children. This “learning” is often based on misinformation which children acquire involuntarily through social conditioning and is reinforced by institutions, such as schools, religious institutions and the media.
- An ism is a prejudice against an individual or group that is supported, sanctioned, legitimized or reinforced by institutions. Isms include, but are not limited to, ableism, ageism, anti-Semitism, classism, heterosexism/homophobia, racism and sexism.
- While research suggests that individuals do not completely “unlearn” their prejudices, it is possible to develop the ability to challenge stereotypes and negative information that often prohibit positive intergroup relations.

The Impact of Prejudice

Oppression has a powerful negative impact on all people. In schools, communities and other environments, the range of people’s experiences is diminished by exposure to hatred, cruel comments, insensitive language and harassment. Everyone experiences the impact of an environment where many fail to intervene on behalf of others targeted by prejudice, and where the perpetration of hate is ignored or condoned. Oppression limits the potential of any group by silencing the voices and contributions of many.

Developing Empathy

All people understand the experience of being an “outsider.” By recalling “outsider” experiences and the feelings which accompany those experiences, people can develop empathy for other people or groups who have been targets of prejudice and discrimination or have experienced the social exclusion of being “outsiders.”

The Uniqueness of Oppressions

Care should be taken not to equate all experiences where people or groups are targets of prejudice. Attempting to equate people’s experiences with prejudice can trivialize the different institutionalized levels of isms and ignores the individual uniqueness of each *ism*. People

should not be placed in situations where they are tempted to vie for victim status. One person's personal pain is not more significant or legitimate than another person's. The sharing of personal experiences with prejudice and discrimination enables people to learn ways others have been hurt because they were perceived to be different.

The Need to Acknowledge and Challenge Personal Biases

Participation in anti-bias exercises, training meetings, open discussions and informal conversations with colleagues can help build understanding of the complexity and power of prejudice and institutionalized oppressions. Such explorations should take place in an atmosphere that is supportive, non-blaming and action-oriented.

Effective methods to challenge one's own biases include understanding the connection between personal identity and bias and exploring the heritage and social struggles of other people. It is not unusual for issues of equity and social justice to produce conflicted feelings in people. When these feelings arise, it is helpful to acknowledge them and seek advice, support, assistance and information, as needed.

Moving Beyond Denial

Because all people have learned and internalized stereotypes and *isms*, there may be times when another person's behavior stimulates negative thoughts or feelings which reflect patterns of stereotypical thinking. Denial of prejudices and stereotypes only serves to perpetuate a system of inequities. When people become aware of these negative responses in themselves, it is important to acknowledge the presence of the unwanted feelings and the reality that challenging stereotypical thinking will be a lifelong process.

Taking Responsibility

People can take responsibility for the present even if they feel they are not directly responsible for the injustices of the past. Although people are not to blame for the biases they learned in childhood, once they have recognized and acknowledged biases, they can take responsibility to challenge them.

Regardless of Motives or Feelings, Good Behavior is Better Than Bad

It is not necessary for change to start from the inside (thoughts and attitudes) as opposed to the outside (actions). Positive changes in behavior, regardless of motives, can result in changes in a person's attitudes and feelings.



Memoirs and other historical narratives about Christians who helped save Jews during the Holocaust are particularly instructive. These reports indicate that people who acted in an altruistic manner for reasons that were initially conflicted, upon seeing the positive impact of their actions, began to develop stronger altruistic behavior patterns that were accompanied by purer motives and feelings. (See **Suggested Resource** at right.)

Dr. Martin Luther King Jr., in mobilizing civil rights allies and confronting his opponents, stated that those who act with what he called "love behavior," such as nonviolent civil rights demonstrators, and those who witness it, are emotionally, spiritually and behaviorally changed by the experience. Hence, if some people grudgingly participate in positive intergroup experiences, their involvement may eventually lead to a fuller understanding and embracing of an anti-bias perspective.

Suggested Resource

The stories rescuers who saved thousands of people from Nazi genocide demonstrate the powerful ability of compassion, goodness and courage to overcome hatred.

For selected reading lists of stories of rescue and heroism during the Holocaust, see www.secretlives.org/home/history/bibliography.html.

Developing Motivation to Resist Bigotry

Everyone, at some time in life, has resisted racist or other discriminatory actions. By retrieving and recalling experiences when people intervened or challenged prejudice, motivation to intervene and resist bigotry in the future is strengthened. Public affirmation of people who attempt to resist bigotry builds self-pride and helps people see themselves as resisters.

A Foundation for Respect

All people have histories and traditions. Understanding and feeling proud of one's own personal and cultural identity need not lead to a sense of superiority or provide an excuse for exclusivity; rather, it can be a strong foundation for building respect among groups of people from different backgrounds.

Active Learning

Learning is enhanced when active participation and questioning create connections and allow participants to develop new concepts and feelings. Learning is maximized when people have a variety of opportunities to interact with new experiences and people.

ANTI-BIAS MASTERY SKILLS

The Anti-Defamation League has established anticipated learning outcomes or mastery skills for participants of A CLASSROOM OF DIFFERENCE™ training programs. The attainment of these skills requires a long-term commitment by school communities. While participation in a single training program cannot result in complete mastery of these skills, ADL's anti-bias training and resources have been developed to promote participants' mastery skills in the following areas:

Identity

Participants will understand the various dimensions of identity and can apply this understanding to their thinking and behavior.

Understanding the Language of Bias

Participants will develop an understanding of basic terms and concepts relating to prejudice and discrimination and can apply this understanding to their interactions with others.

Culture and Communication

Participants will increase their capacity to interact with others across different cultures.

Examining Bias

Participants will develop the capacity to recognize and acknowledge prejudice and discrimination in themselves, in others and within institutions.

Challenging Bias

Participants will develop and put into practice skills to confront bias and discrimination in themselves and others.

Classroom Resources

Participants will learn how to incorporate anti-bias resources and practices into the classroom.

Assessment

Participants will examine personal attitudes and behaviors and organizational policies and practices for bias and inequity.

Action Planning

Participants will have the capacity to create and sustain environments that are fair, equitable and respectful.



BASIC PREMISES OF A WORLD OF DIFFERENCE® INSTITUTE

Bias is universal.

All people have developed biases through socialization, education and exposure to print and broadcast media. Although the specific biases held by people may vary from person to person, bias is a precursor to prejudicial thinking, and it is a powerful influence on everyone.

Prejudice can be “unlearned.”

Prejudice is learned, and while it cannot be completely “unlearned,” it is possible to learn to challenge prejudicial thinking and attitudes in ourselves and others. Although the learning of prejudice is often an unconscious process, the “unlearning” requires conscious effort.

Conflicts may arise.

Conflict is always possible and is not necessarily negative. Each person has a unique background and experiences, which often lead to a variety of diverse opinions and perspectives.

Respectful dialogue is needed.

Sharing personal experiences related to prejudice is an effective tool to build empathy for those targeted by prejudice and to promote a respectful, inclusive environment. Many crises can be prevented through ongoing dialogue about issues of equity and fairness. When crises do occur, they are best managed through respectful dialogue.

Assume good will.

Effective communication is fostered when people assume good will on the part of one another. By extending patience and respect toward others, initial negative judgments and first impressions can be avoided and greater understanding becomes possible.

The wisdom of the group is great.

The wisdom of the group is always greater than the wisdom of any one or two trainers.

There are no easy answers.

These issues are complex and rarely have simple or “right” answers.

Time is valuable.

Time is always a factor and is often limited. There may not be enough time to explore every topic as deeply as people would like, but learning about human rights issues should be an important part of lifelong learning.

Change is a process.

Change is sometimes a difficult and slow process, which makes progress difficult to measure.

Diversity is a strength....

Not a problem or challenge to be faced.

WHY SHOULD ADULTS CARE ABOUT NAME-CALLING AND BULLYING

There are a number of reasons why adults should be concerned about name-calling and bullying:

1. Many youth are involved in bullying, and most are extremely concerned about it.

Studies show that between 15–25% of U.S. students are targets of name-calling and bullying with some frequency, while 15–20% admit that they bully others with some frequency (Melton et al. 1998; Nansel et al. 2001).

Children and youth report being extremely concerned about bullying. In a 2003 Harris poll of 8–17 year-old girls, bullying topped girls' list of concerns regarding their safety. When asked what they worried about the most, the most common responses were being socially ostracized, teased or made fun of (Schoenberg 2003).

2. Bullying can seriously affect the mental health, academic work and physical health of students who are targeted.

Students who are bullied are more likely than other students to have lower self-esteem, higher rates of depression, loneliness, anxiety and suicidal thoughts. Recent studies indicate that there may be reason for concern about the school attendance and the academic achievement of children involved in bullying.

Research on the health-related effects of bullying indicates that targets of frequent bullying are more likely to experience a variety of health problems, including headaches, sleeping problems and stomach ailments.

Some of the emotional scars from bullying can be long-lasting. Research suggests that adults who were bullied as children are more likely than their non-bullied peers to be depressed and have low self-esteem as adults.

3. Youth who bully others are more likely to be engaged in other antisocial, violent or troubling behaviors.

Findings from research in the U.S. and abroad indicate that children who bully others are more likely to get into frequent fights, be injured in a fight, steal or vandalize property, drink alcohol and smoke.



References

- Melton, G.B., et. al. 1998. *Violence among rural youth*. Final report to the Office of Juvenile Justice and Delinquency Prevention. Washington, DC: U.S. Department of Justice.
- Nansel, T., et. al. 2001. Bullying behaviors among US youth. *Journal of American Medical Association*, 285:2094–2100.
- Schoenberg, J., T. Riggins, and K. Salmond. 2003. *Feeling Safe: What Girls Say*. Executive Summary. New York: Girl Scouts of the USA.

Adapted from Take a Stand, Lend a Hand, Stop Bullying Now, a project of the Health, Resources, and Services Administration of the U.S. Department of Health and Human Services at <http://www.stopbullyingnow.org>. Reprinted with permission.

WORKING DEFINITIONS

Overview

- All forms of prejudice can be both *conscious* (overt and intentional) and *unconscious* (tacit and based on assumptions and “norms”).
- All dimensions or categories of personal and cultural identity, such as race, gender, sexual orientation, social class, age and ability, include a variety of different group identities. Within each category, there is often one group that maintains a position of dominance over other groups in the same category. Members of a dominant identity group, such as white people or people who are heterosexual, rarely see themselves as having a specific identity (such as race or sexual orientation), and instead tend to see themselves as being the “norm.”
- All manifestations of prejudice and discrimination can be both *personal* (an individual act of meanness or exclusion) or *institutional* (supported and sanctioned by power and authority that confers privilege on members of a dominant group while disadvantaging members of other groups).

Part I. General Terms

The following are general terms often associated with anti-bias programs and resources. Specific manifestations of some of these concepts are defined in Part II of this glossary.

Anti-bias

An active commitment to challenging prejudice, stereotyping and all forms of discrimination.

Bias

An inclination or preference either for or against an individual or group that interferes with impartial judgment.

Bigotry

An unreasonable or irrational attachment to negative stereotypes and prejudices.

Culture

The patterns of daily life learned consciously and unconsciously by a group of people. These patterns can be seen in language, governing practices, arts, customs, holiday celebrations, food, religion, dating rituals and clothing, to name a few.

Discrimination



The denial of justice and fair treatment by both individuals and institutions in many arenas, including employment, education, housing, banking and political rights. Discrimination is an action that can follow prejudicial thinking.

Diversity

Means different or varied. The population of the United States is made up of people from different places and from diverse racial and cultural groups.

Multicultural

Means many or multiple cultures. The United States is multicultural because its population consists of people from many different cultures.

Prejudice

Prejudging or making a decision about a person or group of people without sufficient knowledge. Prejudicial thinking is frequently based on stereotypes.

Scapegoating

Blaming an individual or group for something based on that person or group's identity when, in reality, the person or group is not responsible. Prejudicial thinking and discriminatory acts can lead to scapegoating.

Stereotype

An oversimplified generalization about a person or group of people without regard for individual differences. Even seemingly positive stereotypes that link a person or group to a specific positive trait can have negative consequences.

Part II. Manifestations of Prejudice and Discrimination

The following definitions describe specific manifestations of prejudice and discrimination, all of which are based on stereotypes and/or negative attitudes toward members of a particular group.

Ableism

Prejudice and/or discrimination against people with mental and/or physical disabilities.

Ageism

Prejudice and/or discrimination against people because of their real or perceived age. Although ageism is often assumed to be bias against older people, members of other groups, such as teens, are also targets of prejudice and/or discrimination based on their age.

Anti-Semitism

Prejudice or discrimination that is directed towards Jews. Anti-Semitism is based on stereotypes and myths that target Jews as a people, their religious practices and beliefs, and the Jewish State of Israel.

Classism

Prejudice and/or discrimination against people because of their real or perceived social and economic status.

Heterosexism/Homophobia

Prejudice and/or discrimination against people who are or who are perceived to be lesbian, gay, bisexual or transgender (LGBT). While homophobia is usually used to describe a blatant fear or hatred of LGBT people, heterosexism is a broader term used to describe attitudes and behaviors based on the belief that heterosexuality is the norm and/or that homosexuality is wrong.

Islamophobia

Prejudice and/or discrimination against people who are or who are perceived to be Muslim or of Arab descent, and a fear or dislike of Islamic culture.

Racism

Prejudice and/or discrimination against people based on the social construction of race. Differences in physical characteristics (e.g. skin color, hair texture, eye shape) are used to support a system of inequities.

Religious Bigotry

Prejudice and/or discrimination against people based on their religious beliefs and/or practices.

Sexism

Prejudice and/or discrimination against people based on their real or perceived sex. Sexism is based on a belief (conscious or unconscious) that there is a natural order based on sex.

Weightism

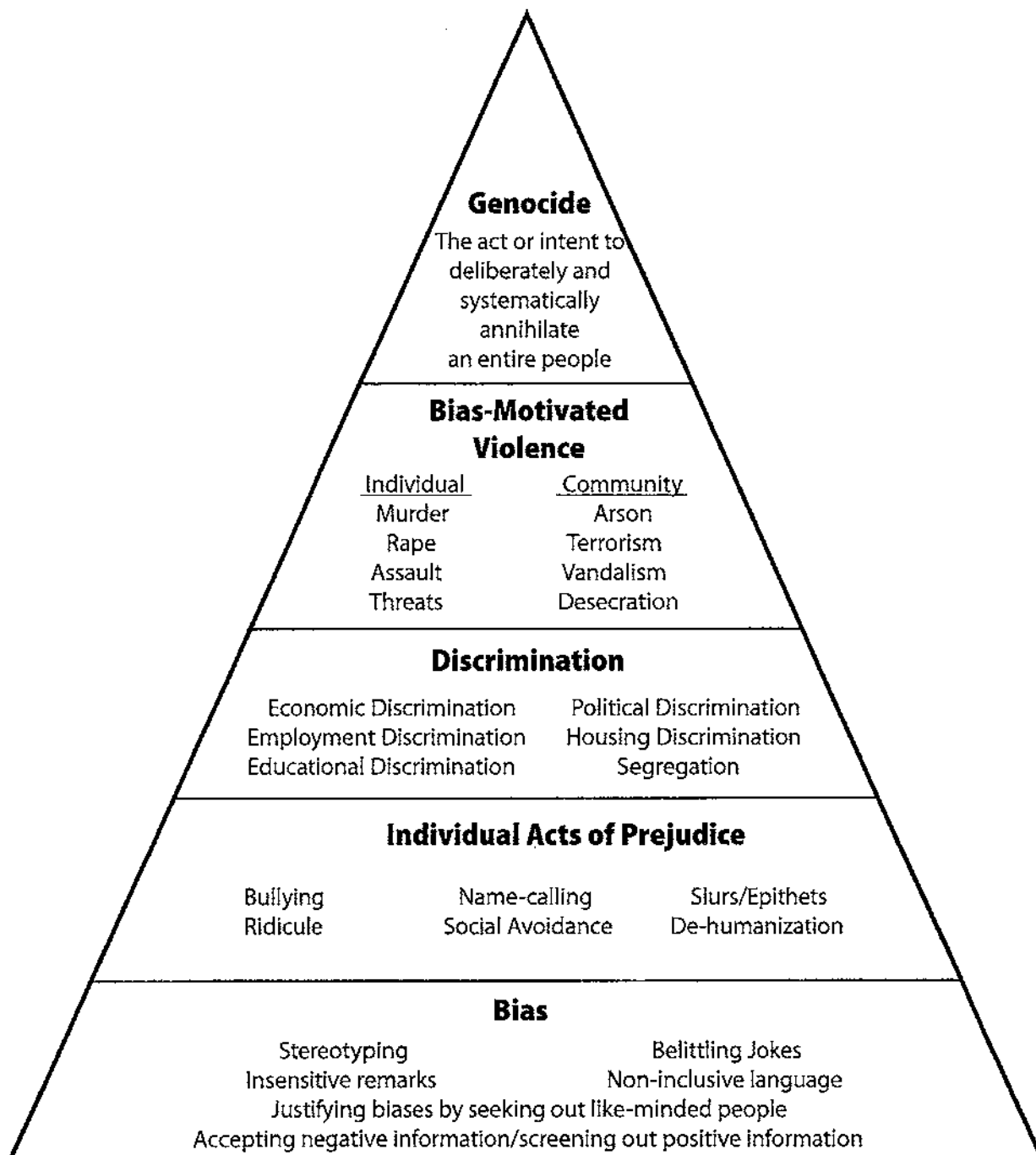
Prejudice and discrimination against overweight and obese people.

Xenophobia

Prejudice and/or discrimination against anyone or anything that is perceived to be foreign or outside one's own group, nation or culture. Xenophobia is commonly used to describe negative attitudes toward foreigners and immigrants.



PYRAMID OF HATE



DEFINITIONS RELATED TO NAME-CALLING, BULLYING AND BIAS

Anti-bias: A term to describe the active commitment to challenging prejudice, stereotyping and all forms of discrimination.

Bias: An inclination or preference either for or against an individual or group that interferes with impartial judgment.

Bullying: Repeated actions or threats of action directed toward a person by one or more people who have (or are perceived to have) more power or status than their target in order to cause fear, distress or harm. Bullying can be physical, verbal, psychological or any combination of these three. Bullying behaviors can include name-calling, obscene gesturing, malicious teasing, rumors, slander, social exclusion, damaging a person's belongings, threats and physical violence.

Cyberbullying: The intentional and repeated mistreatment of others through the use of technology, such as computers, cell phones and other electronic devices. Cyberbullying includes, but is not limited to, sending mean, hurtful or threatening messages or images about another person; posting sensitive, private information about another person for the purpose of hurting or embarrassing the person; and pretending to be someone else in order to make that person look bad and/or to intentionally exclude someone from an online group.

Name-calling: The use of language to defame, demean or degrade individuals or groups.

Roles in Bias Incidents

Ally: Someone who speaks out on behalf of someone else or takes actions that are supportive of someone else.

Bystander: Someone who sees something happening and does not say or do anything.

Confronter: Someone who speaks out when an incident of bias takes place. The role of confronter can be filled by other people (allies) or by targets themselves.

Aggressor: Someone who says or does something harmful or malicious to another person intentionally and unprovoked.

Target: Someone against whom mistreatment is directed.



DEFINITIONS RELATED TO SEXUAL ORIENTATION AND GENDER IDENTITY

Anti-LGBTQ Bias

Prejudice and/or discrimination against people who are or who are perceived to be lesbian, gay, bisexual, transgender or queer (LGBTQ).

Asexual

A person who does not experience sexual attraction, but may experience other forms of attraction (e.g., intellectual, emotional).

Biological Sex

The biological and physiological characteristics of males and females. These are characteristics people are born with that do not usually change over the course of their lives. Although sex is typically defined as being male or female, in actuality, there are more than two sexes. About 1.7% of the population is intersex (see definition below).

Bisexual

A person who is emotionally, physically and/or romantically attracted to some people of more than one gender.

Cisgender

A term for when someone's gender identity/expression matches the gender they were assigned at birth.

Coming Out (of the Closet)

To be "in the closet" means to hide one's identity. Many LGBT people are "out" in some situations and "closeted" in others. To "come out" is to publicly declare one's identity, sometimes to one person in conversation, sometimes to a group or in a public setting. Coming out is a life-long process. In each new situation, a person must decide whether or not to come out. Coming out can be difficult for some because reactions vary from complete acceptance and support to disapproval, rejection and violence.

FTM/MTF

FTM refers to a person who transitions from "female-to-male," meaning a person who was assigned female at birth but identifies and lives as a male. MTF refers to a person who transitions from "male-to-female," meaning a person who was assigned male at birth, but identifies and lives as a female.

Gay

A person who is emotionally, physically and/or romantically attracted to some other people of the same gender. Can be used to refer to people of all genders, though it is used most commonly to refer to males. Some women and girls choose not to identify as gay, but as lesbian.

Gender

The socially-defined “rules” and roles for men and women in a society. The attitudes, customs and values associated with gender are socially constructed; however, individuals develop their gender identities in two primary ways: through an innate sense of their own identity and through their life experiences and interactions with others. Dominant western society generally defines gender as a binary system—men and women—but many cultures define gender as more fluid and existing along a continuum.

Gender Expression

Refers to the ways in which people externally communicate their gender identity to others through behavior, clothing, haircut, voice and emphasizing, de-emphasizing or changing their bodies’ characteristics. Gender expression is not an indicator of sexual orientation.

Gender Identity

How an individual identifies in terms of their gender. Since gender identity is internal, one’s gender identity is not necessarily visible to others.

Gender Non-Conforming

A person who doesn’t adhere to societal pressures to conform to gender norms and roles.

Gender Role

The set of roles and behaviors expected of people based on gender assigned at birth.

Heterosexism/ Homophobia

Prejudice and/or discrimination against people who are or who are perceived to be lesbian, gay, bisexual, transgender or queer (LGBTQ). While homophobia is usually used to describe a blatant fear or hatred of LGBT people, heterosexism is a broader term used to describe attitudes and behaviors based on the belief that heterosexuality is the norm. Other related, specific, terms are transphobia and biphobia.

Heterosexual/Straight

A person who is emotionally, physically, and/or romantically attracted to some members of another gender.

Intersex

A general term used for a variety of conditions in which a person is born with a reproductive or sexual anatomy that doesn’t seem to fit the typical definitions of female or male.



Lesbian

A woman who is emotionally, physically and/or romantically attracted to some other women.

LGBT (or GLBT)

Acronym that groups lesbian, gay, bisexual and transgender individuals into one group based on their common experience as targets of heterosexism and transphobia and their common, yet complex, struggle for sexual and gender freedom. This term is generally considered a more inclusive and affirming descriptor than the more limited "gay" or the outdated "homosexual."

Pansexual

A person who is emotionally, physically and/or romantically attracted to some people, regardless of that person's gender identity or biological sex.

Queer

An umbrella term used to refer to lesbian, gay, bisexual and transgender people. Some use as an alternative to "LGBT" in an effort to be more inclusive. Depending on the user, the term has either a derogatory or an affirming connotation, as many within the LGBT community have sought to reclaim the term that was once widely used in a negative way.

Questioning

Refers to people who are in the process of understanding and exploring their sexual orientation or gender identity. They are often seeking information and support during this stage of their identity development.

Sexism

Prejudice and/or discrimination against people based on their real or perceived sex. Sexism is based on a belief (conscious or unconscious) that there is a natural order based on sex.

Sexual Orientation

Determined by one's emotional, physical and/or romantic attractions. Categories of sexual orientation include, but are not limited to; **gay**, **lesbian**, attracted to some members of the same gender; **bisexual**, attracted to some members of more than one gender; and **heterosexual**, attracted to some members of another gender.

Straight Ally

Any person outside the LGBTQ community who supports and stands up for the rights of LGBTQ people.

Trans*

An umbrella term that refers to all of the identities within the gender identity spectrum.

Transgender

An umbrella term for people who identify as someone whose gender identity and/or gender expression do not match society's expectations with regard to gender roles. The term may

include identities such as: transsexual, gender queer, gender nonconforming, FTM, MTF, and gender-variant. Transgender people may or may not choose to alter their bodies hormonally and/or surgically.

Transition

The process when a person begins living as the gender with which they identify rather than the gender they were assigned at birth, which often may include changing one's first name and dressing and grooming differently. Transitioning may or may not also include medical and legal aspects, including taking hormones, having surgery or changing identity documents (e.g. driver's license) to reflect one's gender identity. Transitioning is not a one-step procedure; it is a complex process that occurs over a period of time.

Two-Spirit

A contemporary term that references historical multiple-gender traditions in many First Nations cultures. Many Native/First Nations people who are lesbian, gay, bisexual, transgender, intersex, or gender non-conforming identify as Two-Spirit; in many Nations, being Two-Spirit carries both great respect and additional commitments and responsibilities to one's community.



DEFINITIONS OF RACE, ETHNICITY AND NATIONALITY

Race refers to the categories into which society places individuals on the basis of physical characteristics (such as skin color, hair type, facial form and eye shape). Though many believe that race is determined by biology, it is now widely accepted that this classification system was in fact created for social and political reasons. There are actually more genetic and biological differences *within* the racial groups defined by society than *between* different groups.

Ethnicity refers to a person's identification with a group based on characteristics such as shared history, ancestry, geographic and language origin, and culture.

Nationality solely refers to a person's citizenship by origin, birth, or naturalization.

Example: Person A who is a citizen in the United States and whose parents are both of Vietnamese descent may be racially defined as Asian, ethnically defined as Vietnamese, and nationality-wise as a citizen of the U.S. Person A may choose to identify in terms of both his/her ethnicity and nationality as a Vietnamese American.

Ten Aspects of Culture

1 Sense of self and space

- a. The sense of comfortable distance between people when interacting
- b. Common ways of greeting others, both new acquaintances and familiar friends and family
- c. Titles used in addressing others

2 Communication and language

- a. Eye contact: accepted duration during communication, issues relating to gender, age, relationship
- b. Gestures frequently used
- c. Facial expressions/direct vs. indirect

3 Dress and appearance

- a. Style of clothing worn
- b. Hair/jewelry/tattoos
- c. Perceptions about body odor

4 Food and eating habits

- a. Food restrictions
- b. Common practices/prohibitions in eating and meal-sharing
- c. Unique foods and drinks

5 Time and time consciousness

- a. Value placed on punctuality
- b. Parameters placed on the meaning of being "on time"

6 Relationships

- a. Relatives
- b. Who is considered family

7 Values and norms

- a. Freedom vs. Conformity
- b. Competition vs. Cooperation
- c. Openness vs. Privacy
- d. Abstractions vs. Relationships
- e. Respect

8 Beliefs and attitudes

- a. Religion
- b. Role of women
- c. Order and authority

9 Mental processes and learning

- a. Problem solving/learning styles

10 Work habits and practices

- a. Basis of rewards
- b. Task vs. relationship focused



NONVERBAL COMMUNICATION ACROSS CULTURES

Behavior is often influenced by culture. Two people from the same culture will often share many cultural behaviors, including forms of nonverbal communication. Modes of nonverbal communication vary from culture to culture and include the unspoken signals which people send each other. Because of people's different cultural experiences and expectations, these signals can be easily misinterpreted.

One cannot assume that a culture influences every person in the same way; however, there are commonalities among group members who share a culture which are useful to know and keep in mind, in order to better understand nonverbal signals.

Some forms of nonverbal communication that are influenced by culture are described below. To better understand one's own cultural assumptions and behaviors, consider the following:

- What makes you feel comfortable?
- What does it feel like when someone exhibits a behavior which is different from what you are used to?
- What assumptions do you make about a person who does things differently from you?

Social Space

Different cultures have different average distances at which people stand to talk to each other. Acceptable distance varies according to the circumstances and the relationships of the people.

- What is the distance at which you feel most comfortable speaking to another person?
- How do you feel when someone stands too close to you? Too far away?
- About how far is "too far away?"

Touching

Where, how and how often people touch each other while conversing are influenced by cultural norms. In many cultures, some touching is acceptable between people of the same gender, but not between males and females — even husbands and wives — when they are in public. In many countries, males holding hands with one another has no connotation except friendship.

- How do you feel when someone touches your arm or hand?

- How well do you need to know people in order to feel comfortable when they casually touch you?
- Have you ever touched a person casually and had the person react strongly? Might culture have been a factor?
- Do your reactions to touching vary depending on whether the person doing the touching is the same or a different gender from you?

Volume of Voice

In some cultures, children are taught that a soft voice is polite, a loud voice rude. In other cultures, a loud voice indicates strength of conviction, passion in one's belief.

- What volume sounds right to you?
- How do you feel when you perceive that someone is yelling at you? How about when someone is speaking softer than you are used to?
- What assumptions do you make about someone who speaks softly in a meeting? How about someone who speaks loudly?

Eye Contact

In some cultures, eye contact is perceived as an integral part of human contact. In others, it is seen as disrespectful, rude, aggressive or flirtatious. Lack of eye contact can be perceived as lack of attention by some, or as showing lack of interest, low self-esteem or dishonesty.

- How do you feel when someone looks right at you throughout a conversation? Does it make you feel uncomfortable or does it make you feel listened to?
- How do you feel when someone doesn't look at you as much as you are accustomed to?

Timing of Verbal Exchanges and Silence

In some cultures, when conversing, an immediate response to every exchange is considered normal behavior. Silence is perceived as disinterest or lack of attention, and makes some people uncomfortable. However, in other cultures, people anticipate silence before a response. In this case, a response said too quickly can indicate a lack of proper thought to what the other person said. What is not said may be more important in the exchange than what is said.

- How do you feel when people respond to you quickly? Do you feel that they have not thought enough about what you said? Do you feel that they are responding properly?



- How about when someone takes some time before responding? Does that indicate a well thought out response to you?
- What assumptions do you make when a person is slow in responding?

Gestures

Finger-pointing is considered very rude in some cultures. Pointing with a foot is considered rude in others. In other cultures, pointing is a mainstay of everyday human interaction.

- What are some gestures that you consider rude? Do you think they may be different for the person sitting next to you?

Smiles

Smiles in some cultures are commonly used to cover anger, embarrassment or upset. Smiles in other cultures express "thank you" or "I'm sorry." In some cultures, a smile is considered flirtatious, a "come on."

- How do you perceive smiles?
- Do you smile at people in public, or is your smile reserved for family and friends?
- How do you feel when you smile at people and they don't smile back? What assumptions do you make about these behaviors?

RESPONDING TO PREJUDICE: TIPS FOR EDUCATORS

Despite the passage of civil rights legislation decades ago, racism and other forms of prejudice contribute to continuing inequality in the U.S. As microcosms of society, schools can often reflect many of the same divisions that exist in society. The name-calling, rumor spreading and harassment heard in the hallways of every school and the hateful graffiti scratched onto desks and locker doors provide daily evidence that prejudice is still with us.

Prejudice can be likened to tainted food at a buffet table from which everyone has eaten. The spoiled food does not affect everyone in the same way, and yet, in greater and lesser ways, everyone has been poisoned. Education provides the best remedy for this situation, beginning with self-education and extending into the classroom. By acknowledging prejudice in all of its manifestations and finding effective strategies for eradicating it, educators have the power to make a difference.

1. When you observe a situation that you perceive as bias-motivated...

- a. *Think before you act.* Explore your understanding of the situation, and consider the diverse perspectives of those involved. Confirm your observations are not being shaped by stereotypical assumptions and biased perceptions. Take time to reflect on what actions/ behaviors you consider prejudicial and why.
- b. *Consider options for intervention.* Think about the ways you can present your concerns to the person who offended you or someone else. Attempt to secure the person's cooperation in changing his or her behavior. Consider the appropriate time to try to intervene and how the intervention might affect the personal safety of everyone involved.
- c. *Be clear about what you want to accomplish.* Know what your intentions are, as they will influence the outcome of any response. Do you want to create a "teachable moment" and/or assist the aggressor in understanding that the behavior violates school policy or the law? Always try to start from an assumption of good will. Be aware that some people are acting out of ignorance and will respond defensively when told their behavior has been perceived as prejudiced.
- d. *Engage in respectful dialogue.* People tend to listen better and be more open when they know that they matter to the person who is speaking. Begin the conversation by communicating that you value and are committed to your relationship with the person. Communicate your concerns without accusations or attacks. Assist the person in understanding that jokes, slurs, discriminatory behavior, stereotypes and scapegoating are not minor incidents to the person who is on the receiving end. Use active listening skills, but do not minimize the situation.



RESPONDING TO BIGOTED WORDS

Challenging bigoted and offensive remarks is critical to ensuring dignity and respect for all people. Below are step-by-step strategies that can assist you if you find yourself in situations where such remarks are made.

➤Think

Explore your understanding of the situation. Take a moment to reflect on what was said and why you consider it to be prejudicial: *What was just said?*

Do an emotional check-in. Consider your own emotions and if you can respond effectively immediately or if you need to take time to do so effectively.

Ensure your safety. Is this something to which you can safely respond to immediately or do you need to walk away and address the matter in another way? Do you need to seek assistance or support from someone else to intervene? Personal safety is of utmost importance.

Be clear about what you want to accomplish. Know what your intentions are, as they will influence the outcome of any responses: *Is this a "teachable moment"? Do I want this person to understand the impact of those words?* Try to start from an assumption of good will. Be aware that some people are acting out of ignorance and will respond defensively when told their words have been perceived as prejudicial.

➤Act

Address your concerns. Whether done immediately or later, in public or in private, consider letting the person know that the words he or she used were hurtful or offensive: *What did you mean by what you said? That sounded to me like a stereotype. Do you understand why that was so hurtful?*

Engage in respectful dialogue. Particularly when you're talking to someone you know, people tend to listen better and be more open when they know that they matter to the person who is speaking. Begin the conversation by communicating that you value and are committed to your relationship with the person. Communicate your concerns without accusation or attacks. Assist the person in understanding that jokes, slurs and demeaning words are not minor incidents to the person who is on the receiving end. Listen respectfully to the person, but do not minimize the impact of the situation: *I want to speak to you, because your friendship is important to me. I want to let you know that what you said hurt me. I do not like such words around me because I think they are offensive and demeaning.*

and a cumulative experience of everyday slights and stereotypes. Such conflicts may suggest the need to integrate units of study into the curriculum that provide an opportunity for students to learn about the diverse experiences and perspectives of others.

3. *When you are accused of prejudice by a student...*

- a. *Acknowledge your own feelings.* Note how being accused makes you feel. Accusations of prejudice can bring up a variety of emotions including hurt, frustration, anger, distrust, resentment and guilt. Take time to explore and address your feelings before taking action.
- b. *Acknowledge the accusing student's comments and feelings.* Making sure the student feels heard is the first step to effective communication about the issue at hand. One possible response is: "I understand that you feel my action was prejudiced or unfair, and that is of great concern to me."
- c. *Gather information.* Ensure that you understand the student's perception. Whether or not the perception is based in reality, it is important to remember that it feels real to the student and needs to be addressed. As soon as possible after the incident, find an appropriate time to engage in dialogue with the student to better understand exactly what was perceived as prejudicial. Was it a tone of voice or perceived preferential treatment? Was there a lack of clarity in instructions so that the student felt set up to fail? Remember that the effects of prejudice are cumulative. It may be that the student had multiple experiences over time that were perceived as being prejudiced, either correctly or incorrectly, and is reacting to you based upon this cumulative experience.
- d. *Assess the situation.* Based on your observations and conversations, determine the student's underlying needs. Note the student's behavior and nonverbal cues. Does the student need to be acknowledged for a contribution he or she made? Were there different assumptions made about classroom policies? Is the student frustrated about poor academic performance and in need of extra help?
- e. *Respond with respect.* Understand that even though your behavior may not have been intended as biased, it was perceived as biased. Try to avoid becoming defensive since defensiveness can block communication. Use the conflict as an opportunity to clarify any misunderstandings about classroom policies.
- f. *Do not immediately dismiss the accusation.* Look at the situation and yourself honestly. If it turns out that your behavior was consciously or unconsciously prejudicial or unfair, allow yourself to reflect on the incident. Be willing to acknowledge what happened and modify your behavior accordingly. Remember that all people, including teachers, have biases. Being willing to admit when you are wrong is a powerful strategy to promote a respectful, inclusive educational environment.



RESPONDING TO BIGOTED WORDS

Challenging bigoted and offensive remarks is critical to ensuring dignity and respect for all people. Below are step-by-step strategies that can assist you if you find yourself in situations where such remarks are made.

➤Think

Explore your understanding of the situation. Take a moment to reflect on what was said and why you consider it to be prejudicial: *What was just said?*

Do an emotional check-in. Consider your own emotions and if you can respond effectively immediately or if you need to take time to do so effectively.

Ensure your safety. Is this something to which you can safely respond to immediately or do you need to walk away and address the matter in another way? Do you need to seek assistance or support from someone else to intervene? Personal safety is of utmost importance.

Be clear about what you want to accomplish. Know what your intentions are, as they will influence the outcome of any responses: *Is this a "teachable moment"? Do I want this person to understand the impact of those words?* Try to start from an assumption of good will. Be aware that some people are acting out of ignorance and will respond defensively when told their words have been perceived as prejudicial.

➤Act

Address your concerns. Whether done immediately or later, in public or in private, consider letting the person know that the words he or she used were hurtful or offensive: *What did you mean by what you said? That sounded to me like a stereotype. Do you understand why that was so hurtful?*

Engage in respectful dialogue. Particularly when you're talking to someone you know, people tend to listen better and be more open when they know that they matter to the person who is speaking. Begin the conversation by communicating that you value and are committed to your relationship with the person. Communicate your concerns without accusation or attacks. Assist the person in understanding that jokes, slurs and demeaning words are not minor incidents to the person who is on the receiving end. Listen respectfully to the person, but do not minimize the impact of the situation: *I want to speak to you, because your friendship is important to me. I want to let you know that what you said hurt me. I do not like such words around me because I think they are offensive and demeaning.*

Maintain Dignity

Hold people accountable. Sometimes people need to hear more than once that their words are not acceptable. Remind them of previous conversations if they resume their behavior. However, recognize too that there is a line to be drawn, and if necessary, let them know that their actions have consequences, in the form of lost friendships or reports to school administrators, supervisors or other authority figures.

Remember your "rights." Although you do not have the right to dictate other people's sense of humor or how they speak, you do have the right to request that this type of humor not be used in your presence.



I DIDN'T MEAN IT LIKE THAT

Challenging Your Own Biases

Everyone, even those who may make sincere efforts to be aware of their use of language, may find themselves inadvertently using language or making insensitive comments that hurt others. While the intent may have been benign or even neutral, the impact of the words may deeply affect the listener enough for him or her to respond. In such situations, it is easy to get defensive and to say, "That's not what I meant" or "You're taking it the wrong way." However, recognizing that all people have developed biases, consciously and unconsciously, through socialization, education and media exposure, this can be an opportunity to "unlearn" bias and to check the stereotypes or misinformation being held. Below are some guidelines if you are accused of prejudicial language.

1. Acknowledge your own feelings.

Note how being accused makes you feel. Accusations of prejudice can bring up a variety of emotions including hurt, frustration, anger, resentment and guilt. Take time to explore and address your feelings before taking action.

2. Acknowledge the person's comments and feelings.

Making sure the person feels heard is the first step to effective communication about the issue at hand: "I understand that you feel my words were prejudiced or unfair, and that concerns me." Gather information. Ensure that you understand the person's perception. Whether or not the perception is based on reality, it is important to remember that if it feels real to the person and needs to be addressed. Remember that the effects of prejudice are cumulative. It may be that the person had multiple experiences over time that were perceived as being prejudiced and is reacting to you based upon this cumulative experience.

3. Assess the situation.

Based on your observations and conversations, determine the person's underlying needs. Respond with respect. Understand that even though your behavior may not have been intended as biased, it was perceived as biased. Try to avoid becoming defensive since defensiveness can block communication. Use the conflict as an opportunity to clarify any misunderstandings.

4. Do not immediately dismiss the accusation.

Look at the situation and yourself honestly. If it turns out that your behavior was consciously or unconsciously prejudicial or unfair, allow yourself to reflect on the incident. Be willing to acknowledge what happened and modify your behavior accordingly. Remember that all people have biases. Being willing to admit when you are wrong is a powerful strategy to promote a respectful, inclusive environment.

ZERO INDIFFERENCE

A Guide to Stop Name-Calling & Bullying

A "Zero-Indifference" response to name-calling means that members of the school community take collective action to not tolerate name-calling and bullying. Although there is no one right way to intervene, consistent intervention is key to establishing a school environment where all students feel safe and respected.

Three things that you should avoid:

1. Ignore the incident.
2. Excuse it.
3. Allow yourself to become immobilized by fear or uncertainty.

Effective interventions consist of two steps:

1. *Stop the behavior immediately.*

Some sample responses:

	LESS TIME / PUBLIC SPACE (between periods, at dismissal, during recess)	MORE TIME / PRIVATE SPACE (during class or practice, after-school activities)
IN A STRUCTURED SETTING (a classroom, library, etc.)	<ul style="list-style-type: none"> ■ That is unacceptable in this room. ■ You know the class ground rules. ■ Please apologize. ■ Leave the room. ■ Leave him/her alone! 	<ul style="list-style-type: none"> ■ What did you mean by what you said? ■ That was a stereotype. ■ Stereotypes are a kind of lie and they hurt people's feelings. ■ That was a putdown, and I don't think it belongs here at our school. ■ You may not have meant to be hurtful, but here's how your comment hurt...
UNSTRUCTURED SETTING (hallway, locker room, cafeteria)	<ul style="list-style-type: none"> ■ Cut it out! Using language like that is no joke. ■ That's out of line! ■ Keep your hands to yourself! ■ Go to the office! ■ Stop it right now! 	<ul style="list-style-type: none"> ■ That's bullying. It's against the school rules. ■ We don't harass people at this school. It could get you suspended. ■ That was really mean. Why did you say that? ■ Do you understand why that was so hurtful?



2. *Educate those involved.*

The determining factor about whether to educate on the spot or privately, immediately or later, should be the needs of the targeted student. Both options have advantages and disadvantages.

EDUCATING ON THE SPOT	EDUCATING LATER PRIVATELY
<ul style="list-style-type: none"> ■ Provides immediate information and support ■ Models taking a stand ■ Reassures others that the school is a safe place ■ Sets a compassionate tone 	<ul style="list-style-type: none"> ■ Allows harasser to "save face" ■ Prevents possible embarrassment of target ■ Allows you to cool down ■ Allows more time to explore and discuss the facts

■ Distinguish between what feels right and what is best for a given student or situation.

Incidents of name-calling and bullying can be complex, calling for educators to use thoughtful, critical judgment in each situation. You may want every student within fifty feet to hear you loud and clear when you reprimand the tormenters of a targeted student, so that students will get the message that your school will not tolerate name-calling. This response, however, may cause targeted students to cringe at the attention your public intervention draws, and to increase their concerns for their safety on the way home, when no one will be there to protect them.

■ Ask targeted students what they would like you to do.

As a teacher, you may feel you need to take charge and determine on your own what's best for all students. Instead, you can stop the name-calling immediately, and set aside a time to educate harassing students later. Establish a time to meet privately with targeted students and discuss what they think might work best for them. Determine whether targeted students have a history of being harassed in general, whether offending students have a history of harassing other students, and whether the involved parties have a history with each other.

Some Considerations for Forming Effective Responses

Where and when did the incident occur?

An effective response to name-calling and harassment is dependent on where the incident occurred and the time available at the moment. Choices you make about intervening as you walk down the hall on your way to your next class will differ from those you make when you have the time and structure of the classroom to support your decision.

If “time and place” allow for only punitive or reactive responses, or if you believe the needs of the targeted student will be better served by speaking to the offending student(s) later, be sure to schedule a future “time and place” to deal with the situation. Education is more effective at changing students’ future behaviors than punishment alone!

Was the incident isolated or part of a pattern?

A one-time transgression can be dealt with swiftly, but a persistent pattern on the part of any of the involved students requires more intensive intervention. If a student has a history of harassing other students, in addition to stopping the behavior and making decisions about educating those involved, consistently apply and enforce existing school rules and policies and take disciplinary action, when appropriate. If a student has a history of being picked on, a guidance counselor can assist the student in dealing with the considerable emotional strain of being targeted. Targeted students need support and should never be given the impression that they “deserved” or “provoked” the attack.

What was the harassing student’s intent?

Consider the ages of the harassing student(s), their understanding of the meaning and impact of their behavior, and the existing relationships between the involved students. Are the students best friends? Is it possible they are only repeating language they have heard someone else use? Is the harassing student older or substantively bigger than the targeted student? Are the students developmentally able to understand the meaning and impact of their behavior?

ELEMENTARY STUDENTS	MIDDLE AND HIGH SCHOOL STUDENTS
<ul style="list-style-type: none"> ■ Ask if they know the meaning of the derogatory word(s) they used. ■ Explain, in age-appropriate language, the possible origins, meaning, and hurtful impact of the word(s). ■ Clarify school and/or classroom rules and policies about the behavior. ■ Communicate that, regardless of the original intent, the word is a put-down, and that you do not want to hear the student use it again. ■ Take steps to insure the safety of the targeted student. 	<ul style="list-style-type: none"> ■ Consider the history, age, and intent of parties involved. ■ Determine whether to educate publicly on the spot or later, in private. ■ Firmly communicate the seriousness and consequences of the behavior, and that you do not want to hear or see it again. ■ Refuse to sanction behavior as joking or “fooling around.” ■ Take steps to insure the safety of the targeted student.



Although individual circumstances may require educators to occasionally make judgment calls that violate their sense of what "feels right," name-calling and bullying provide daily opportunities for "teachable moments" for educating students to show respect for all people.

This handout was adapted from *Zero Indifference: A How-to Guide for Ending Name-Calling in Schools* by Nancy Goldstein, Ph.D., GLSEN Educational Resource Manager, © 2001, GLSEN. This resource, among others, can be found in the School Safety section of GLSEN's online Resource Center at www.glsen.org. Permission to reprint granted to the Anti-Defamation League.

Creating an Action Plan: Some Considerations

Change doesn't happen without planning. Creating environments which are equitable and fair requires the development of concrete, measurable action steps which are implemented, assessed, evaluated, revised and updated at regular intervals. As you develop an action plan to accomplish a specific goal, consider the following:

1. **Establish effective, working ground rules** for your group that outline expectations for communicating and working together respectfully.
2. **Support respectful communication** by providing ongoing time and space for facilitated dialogue that allows for open sharing of feelings and concerns. Anticipate and plan for occasional conflicts, and develop a process to address any grievances that may arise.
3. **Encourage the involvement of organizational leadership**, such as administrators and other decision-makers. Engage them in the process by communicating the benefit of their involvement in demonstrating organizational respect for diversity and commitment to equity.
4. **Include diverse perspectives** by expanding the planning group to include representatives of the diverse groups that make up the school or organization and its community, including students, families, administrators, educators, staff, the school board and other community members.
5. **Create space for feedback** from others about the appropriateness of the plan and its proposed activities, and the current climate and readiness of the community for the proposed changes. Seek out the perspectives of those groups most influenced by the problem you are trying to address.
6. **Examine existing policies and procedures** relating to your goal. When necessary, plan to rewrite, revise and clarify policies and procedures and promote a process that supports effective practices and adherence to policies.
7. **Exercise creativity in identifying necessary human and financial resources.** Consult with staff responsible for grant management and writing to identify any available funding opportunities. Contact staff responsible for public relations to disseminate information to the wider community. Develop strategies to develop and engage allies to tap into their resources, including interested students, adult family members and other members of the community.
8. **Plan to evaluate** your efforts at regular intervals and revise and update as you go forward.
9. **Celebrate your successes** by acknowledging and expressing gratitude for successful individual and group efforts.



CURRICULUM CONNECTIONS FLIER



Anti-Defamation League

Curriculum Connections



Online Anti-Bias Lesson Plans and Resources for K-12 Educators

Integrate multicultural, anti-bias and social justice themes into your curricula with *Curriculum Connections* – a collection of original lesson plans and resources distributed via e-mail and available on the ADL Web site.

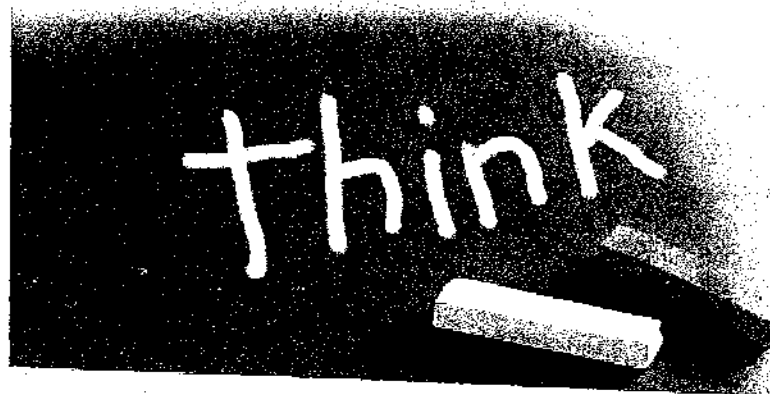
Each issue of *Curriculum Connections* is dedicated to a particular topic and linked to national standards in history, civics, language arts and other subjects. From exploring the promise of *Brown vs. Board of Education* to examining the struggle to prevent genocide in the post-Holocaust era, *Curriculum Connections* challenges students to think critically about past and current events and inspires students to take action in support of social justice.

Visit *Curriculum Connections* on ADL's website to access the curriculum units and sign up for a free subscription:

PAST ISSUES INCLUDE:

- Challenging Anti-Semitism
- Cyberbullying: Understanding and Addressing Online Cruelty
- The Debate over Color Blindness and Race-Consciousness in School Integration Policy
- The First Amendment in Public Schools
- Moving beyond Gender Boundaries in Our Lives
- Raising Awareness about People with Disabilities
- Voices of Japanese-American Internees

www.adl.org/education/curriculum_connections



COMMUNICATION GUIDELINES RELATING TO ABILITY

Distinguish Between Disabilities and Handicaps

The term "handicapped" is still used by the media today to refer to people with disabilities, but the word has a negative connotation for many people. Most social service agencies and disability publications have replaced this term with "person with a disability." The term *handicap* describes a condition or barrier caused by society or the environment.

A disability applies to a person's functional limitation.

A person uses a hearing aid because he or she is deaf or hard of hearing.

A person uses a wheelchair because of a physical disability.

A person requires extended time on an exam because of a cognitive disability.

A handicap is a barrier in the environment.

A handicap is when there is no telephone system available that enables people with hearing disabilities to make calls.

A handicap is when there is a stairway but no adjoining elevator so that a person with a physical disability cannot go up or down a floor.

A handicap is when inadequate time is allowed to complete a task for a person to demonstrate understanding of material.

Person First: People with Disabilities

The person precedes the disability, both figuratively and literally. It's "persons with disabilities," not "disabled persons," and "person with cerebral palsy," not "cerebral palsy victim."

Adjectives Aren't Nouns

Use an adjective as description, not as a category or group, i.e. "people who are disabled," not "the disabled," and "people who are blind," not "the visually impaired."

Germaneness

People with disabilities should be treated just like everyone else. You wouldn't mention the physical condition of an able-bodied person unless it was germane to what you were saying. Unless a person's disability is relevant, don't mention it.



Communicating with People with Disabilities

When introduced to a person with a disability, it is polite to shake hands. Most people with limited use of their hands, or artificial limbs, can shake hands. If you're unsure, let the other person make the first move. Always treat people with disabilities with the same respect you treat others. Speak to and look directly at the person instead of communicating through a companion who may be along. The presence of a physical disability does not mean the person has a cognitive disability as well.

Common expressions, such as "see you later" or "I've got to run along," are usually not insulting to those who can't see or run, so don't feel embarrassed if they happen to creep into your conversation. Don't be embarrassed to offer help to someone with a disability, but wait until the offer is accepted and instructions are given before proceeding.

Speech Disabilities

Ask questions that can be answered in few words or with a nod of the head. Don't pretend to understand when you don't. Repeat what you think the person said, and if all else fails, use written notes.

Deafness

To get the attention of a person who is deaf or hard of hearing, you may need to touch the person lightly, wave your hand or use some other physical sign. If the person is using an interpreter, speak directly to the person rather than the interpreter. If the person is lip-reading, look directly at him or her and speak slowly and clearly. Even the best lip-reader can pick up less than half of the words you speak. It is not necessary to exaggerate your lip movements or shout. Speak expressively, because the person will use facial expression, gestures and body language to help understand. Don't stand with a bright light behind you, and keep your hands away from your mouth when speaking. If you are having trouble communicating, consider using written notes.

Blindness

When communicating with someone who is blind, identify yourself and introduce anyone else who is present. Before trying to shake hands, say something like, "Shall we shake hands?" or reach for the other person's extended hand. When offering seating, place the person's hand on the back or arm of the seat. If walking from one location to another, offer your arm as a guide, and alert the person to any obstacles such as steps, curbs or low arches. If dining, don't feel embarrassed to orient the person as to where the silverware and other items are. Let the person know when you are leaving.

Avoid Condescending Language

Terms like physically challenged, special and differently-abled are patronizing. If appropriate and relevant, note that a person has a physical, sensory or mental disability and leave it at that. Also, people who do not have without disabilities should not be referred to as "normal" because of the inference that people with disabilities are abnormal.

Avoid Pity

People with disabilities aren't "victims." As one woman noted, "I'm not a wheelchair 'victim.' Wheelchair victims are the people I bump into with my footrest at the supermarket." People with disabilities should not be labeled as impaired, nor should they be described as "inspirational" or "courageous" just because they have a disability.

People in Wheelchairs or on Crutches

Consider a person's wheelchair part of the person. It's not polite to touch or lean on the chair unless the person gives permission. Never pat a person in a wheelchair on the head. When talking to someone in a wheelchair or on crutches for more than a few minutes, sit or place yourself at the other person's eye level.

Adapted from *Handicapping Language: A Guide for Journalists and the Public*, Illinois Department of Human Service's Department of Rehabilitation Services (DORS), Springfield, IL, 800-843-6154 (V) or 800-447-6404 (TTY). Reprinted with permission from Leslie Ann Ramyk, NAEYC and DORS.



DOS AND DON'TS WITH SPECIAL DIVERSITY EVENTS

As a way to recognize diversity in their school or community, many schools host special events for their students and educators, whether they are in honor of Black History Month, Women's History Month and other significant holidays and local and national events.

While it is important to bring to light diverse groups and issues that have otherwise been excluded or minimized, when poorly planned and implemented, such events can leave students with little to take away from the event, and can potentially reinforce stereotypes, polarize the community and continue to marginalize some groups and their issues.

While ADL encourages schools to incorporate issues of diversity throughout the school year as an integral part of the curriculum and school culture, we recognize that special diversity events can be worthy endeavors if the implementation is thoughtful and inclusive, the topics and issues are explored deeply, the discussions are meaningful, and the end goals seek positive change. Indeed, at their best, diversity events add to the goal of creating and sustaining safe and inclusive schools.

To assist those who are interested in hosting a diversity event, ADL has provided a list of "dos and don'ts" to help create meaningful events. While this list is not comprehensive, it highlights actions that we recommended or discouraged.

Dos

► **Connect to Ongoing Efforts**

Host this event as a launching point or as part of an ongoing effort to incorporate diversity-related themes in school culture. Match the event's goals and outcomes with larger school goals, e.g., team building, respect for all.

► **Get Buy-In**

Ensure that school leadership, such as the superintendent, principal, activities director and club advisors, support this event.

► **Set the Stage Up Front**

Develop a clear mission statement, goals and outcomes of what will be achieved at this event. Prepare a list of instructional objectives for the event before deciding on presenters, topics and activities.

► **Define Diversity in a Diverse Way**

Define diversity beyond race – include other identities, such as gender, religion, sexual

orientation, abilities, ethnicity, national origin, age and socioeconomic status.

► **Input from All**

Ask for broader community input beyond the planning committee. Ask students, family members and community members from different identity groups what they would like students to understand about their identity group and the issues they face. Consider surveying the school community and community at-large to learn what topics are relevant.

► **Involve Students**

Engage students in all aspects of the event—before, during and afterwards.

► **Involve Other Schools**

Invite other schools to participate in the event, to optimize diverse viewpoints, experiences and ideas.

► **Involve the Community**

Make use of resources in community, such as parents and family members, community leaders, civil rights and human rights experts.

► **Prepare the Follow-up Up Front**

Plan ahead for additional opportunities for students who are motivated and inspired to continue addressing these issues after the event. Don't wait to plan until after the event is over.

► **Screen Presenters**

Be thoughtful about the kind of presentation will take place: screen speakers and presentation themes based on criteria that match with the goals and objectives of the event; connect the event with an overarching mission statement, goals and objectives; strike a balance among the topics and viewpoints.

► **Know Your Audience**

Weigh the demographics of the student body and school community against the possible topics and approaches. If there is only one Muslim student, for example, think carefully how to approach the topic of Islamophobia without marginalizing or frightening that student.

► **Involve Educators**

Expect educators to be full participants in the event. Provide training to and/or expectations of educators prior to the event. Prepare staff to engage in discussions about potentially difficult issues with students.

► **Talk It Up**

Announce and make very explicit what students and educators should expect from the event. Do not allow assumptions and rumors to frame understanding of what they will



experience. Parents and guardians should also be informed about the day's activities so that they talk with their children about their experiences.

► **Be Expansive in Exploring Cultures**

Present different groups, such as Native Americans, in contemporary times, not just in the past. Groups do not come and go in history, despite what history books may suggest; they are continually a part of the U.S. fabric and should be acknowledged as equal members of this country presently.

► **Time to Talk and Reflect**

Allow time for students to discuss these issues during or following the presentations.

► **School Adults Remain Engaged**

If outside presenters or facilitators are responsible for leading a group of students, a teacher, administrator or school personnel should be present and engaged, and help with classroom management when the need arises, to send the message to students that that this is important.

► **Time for Some Action**

Address how students can take what they have learned to better the school community.

► **Connect with National Efforts**

Coordinate effort with those happening on a national level, such as Mix-It Up Day.

► **Call Media**

Consider inviting the media to report on this event.

► **Evaluate**

Evaluate the program afterwards. Did it meet the goals and accomplish the objectives? What did students discuss that has implications to the school culture?

► **Make the Change**

Bring challenging school issues discussed during the event to decision-makers who can affect change in policies and procedures.

► **Connect with Academic Achievement**

Work with educators to find ways for them to incorporate the learning points during the event in their classroom curriculum or practice.

Don'ts

- ▶ **Host these events as a one-shot deal**, in isolation from the rest of the school culture.
- ▶ **Focus only on the three "Fs" – Festivals, Fashion and Foods.** By focusing just on these items, school can risk trivializing the culture's rich history and people's experiences, and reinforcing stereotypes that tends to "exoticize" or make excitingly foreign instead of showing the diversity within the culture itself.
- ▶ **Tokenize 1–2 students** from one specific group to be in charge of their group's issues, or assume they're experts. Avoid homogenizing the group, as there is diversity of experiences, ideas and opinions within one group.
- ▶ **Regard the majority as non-ethnic.** Typically, people who are middle-class, white, Christian and/or heterosexual are seen as the "norm," and are not seen as having cultures, traditions or experiences to share. It is just as important for students to understand that they all have a culture and to allow all students to share their cultures, as well as to explore the issues that majority students face, particularly related to power and privilege.
- ▶ **Have only adults as presenters.** Engage students or youth from local community organization's speakers' bureaus to lead sessions.
- ▶ **Pick "safe" topics.** Delve into broad range of topics that challenge students and engage their critical and analytical thinking skills.
- ▶ **Half-heartedly implement the program.** Doing so sends a message to students that these topics are irrelevant and unimportant, which does little to encourage them to address injustice and inequity.
- ▶ **Celebrate without addressing or considering deep-seated, real problems that students currently face.** To ignore or avoid racism, sexism, homophobia and other forms of discrimination is to pretend that they don't exist, which contradicts many students' experiences. Help them make sense of experiences that stem from discrimination and find ways to build their resiliency as well as their capacity to become allies for others who are targeted because of their identity.
- ▶ **Neglect student follow-up.** Avoid hosting an event without an opportunity for students to feel empowered and encouraged to do something about it.



Be cautious when:

1. **Referring to events as “international,”** particularly if highlighting Latinos and Asian Americans. It is important to recognize that these ethnic and racial groups have deep roots in the United States and are not all recent immigrants.
2. **Doing simulations.** Consider age-appropriateness and readiness, preparation of students and their families in the experience they will engage in, and involvement of the faculty and administration. ADL discourages use of high-risk simulations unless teachers conducting it are highly trained and have the permission and trust from students and their families, and the administration.

GUIDELINES FOR CHALLENGING PREJUDICE AND DISCRIMINATION

1. BE WILLING TO TAKE ACTION.

Ignoring prejudicial attitudes and behaviors will not make them go away, and silence can send the unintended message that you are in agreement with the words or actions. Make it clear that you find the behaviors offensive and that you are not willing to tolerate jokes, slurs or any action that demeans another person or group. Do not directly intervene if you feel it might jeopardize your own or others' safety, but do consider other effective responses, including speaking to the aggressor later, going to get assistance or providing support to the target of the prejudice.

2. UNDERSTAND AND LEARN TO MANAGE CONFLICT.

Biased attitudes have developed over time and are unlikely to change without some conscious effort. When challenging biased attitudes or behaviors in others, it is not unusual to be faced with conflict. By learning skills to manage conflict effectively, you will be able to use conflict as a positive force to foster growth.

3. BE AWARE OF YOUR OWN BIASES.

All people have been socialized to believe many stereotypes and misconceptions about other groups. An awareness of your own prejudices and biases will help you understand the limitations they place on your own perspectives. If you lack knowledge or are unsure how to handle a situation, seek the information or help that you need. When your own discriminatory attitudes or behaviors are pointed out to you, be open to feedback and avoid reacting defensively.

4. LISTEN AND LEARN FROM OTHERS' EXPERIENCES.

Don't minimize or trivialize people's experiences or deny their concerns. Make an effort to see situations through other people's eyes.

5. USE RESPECTFUL LANGUAGE AND BEHAVIOR.

Educate yourself about terminology that is respectful, nonbiased and inclusive of all people regardless of race, ethnicity, gender, disabilities, sexual orientation, gender identity, age or religion. If you are unsure of how a person or group prefers to be identified, ask questions.

6. PROVIDE ACCURATE INFORMATION TO COUNTER STEREOTYPES AND BIASES.

Take initiative in educating yourself about your own and others' cultures. Ask questions when you need additional information, but don't rely completely on other people to educate you about their culture and history or to explain oppression to you. People are more willing to share when you take an active role and the learning is mutual.



7. ACKNOWLEDGE DIVERSITY AND AVOID STEREOTYPICAL THINKING.

Don't ignore or pretend not to see the rich diversity of human backgrounds and experiences. Acknowledging differences is not the problem, rather the problem is placing negative value judgments on those differences! Stereotypes based on differences are inappropriate because they generalize, limit and deny people's unique individuality and humanity.

8. BE AWARE OF YOUR OWN HESITANCIES TO CHALLENGE PREJUDICE.

Take time to explore your feelings about taking action against prejudice. When bias occurs, assess the situation, determine the best response and take action.

9. PROJECT UNDERSTANDING, RESPECT AND SUPPORT.

When challenging biased attitudes, words or actions in others, begin by stating how you feel. Firmly address the behavior or attitude while supporting the dignity of the person. Be nonjudgmental and avoid preaching, but know the bottom line. Issues of human dignity, justice and safety should be nonnegotiable.

10. BE A ROLE MODEL.

Establish standards of responsibility and behavior and hold yourself and others accountable. Demonstrate your personal and organizational commitment in practices, policies and procedures, both formal and informal. Maintain high expectations for yourself and others.

11. JOIN WITH OTHERS.

Work collectively with others to organize and support efforts to combat prejudice and discrimination in all its forms. Social change is a long-term process and it's easy to get discouraged. There is power in the actions of one person; however, by working together, there is even greater strength and ability to make a difference.

GUIDELINES FOR ACHIEVING BIAS-FREE COMMUNICATION

1. **Be aware of words, images and situations that suggest that all or most members of a group are the same.** Stereotypes often lead to assumptions that are unsupportable and offensive.

Example: The writer who describes Mexican children as “well-dressed” may be unconsciously portraying this as an exception to a mental image of a “poor” or “unkempt” Mexican.

2. **Avoid qualifiers that reinforce stereotypes.** A qualifier is added information that suggests what is being said is an exception to what is expected.

Examples: “A group of intelligent black students were guests as part of the orientation program.” A helpful test is to consider whether a member of the majority population is likely to be described in the same way; i.e. “the intelligent white students.”

3. **Identify people by identity characteristics only when relevant.** Very few situations require such identification.

Example: If this identification is inappropriate, “Michael Bloomberg, noted heterosexual mayor of New York,” is this phrasing any different: “twenty-two House Democrats, led by gay Democratic Representative Barney Frank . . .?”

4. **Be aware of language that, to some people, has questionable racial or ethnic connotations.** While a word or phrase may not be personally offensive to you, it may be to others.

Examples: Culturally deprived or culturally disadvantaged. These terms imply superiority of one culture over another. In fact, people so labeled are often bicultural and bilingual. *Non-white* – this word implies that white is the standard. In North American language, similar phrases such as “non-black” or “non-yellow” do not exist. *Minority* – this word is accurate in North America; however, its use ignores the fact that people of color comprise the majority of the world’s population (and may comprise the majority of one’s immediate locale).

5. **Be aware of the possible negative implications of color symbolic words.** Choose language and usage that do not offend people or reinforce bias. In some instances, black and yellow have become associated with the undesirable or negative.

Examples: “black reputation” and “yellow coward”

6. **Avoid patronizing language and tokenism toward any racial or ethnic group.**

Example: Once-a-year articles or special editions about a particular group may be interpreted as cultural tokenism, especially when such a group constitutes a large part of your



community. This approach may suggest that that racial or ethnic group is out of the mainstream.

7. **Substitute substantive information for ethnic clichés.** Don't let ethnic clichés substitute for in-depth information.

Example: A person of Spanish heritage might prefer to be asked about family history or political experiences than about fiestas.

8. **Review media to see if all groups are fairly represented.**

Examples: Are persons portrayed in positions of authority almost invariably white? Does your media provide racial and ethnic role models?

Adapted with permission from *Without Bias: A Guidebook for Nondiscriminatory Communication*, Second Edition with permission from John Wiley & Sons, Inc. © 1982

MISDIRECTIONS IN BULLYING PREVENTION AND INTERVENTION

In recent years, increasing numbers of educators, health professionals, family members and other adults who interact with children and youth have begun to realize the seriousness of bullying. A number of proven and promising prevention and intervention strategies have been developed. Unfortunately, a number of misdirected prevention and intervention strategies have also emerged.

Zero Tolerance Policies

A number of schools have adopted “zero tolerance” or “three strikes and you’re out” policies toward bullying, in which students who bully others are suspended or expelled from school. These policies (also called “student exclusion policies”) raise the following concerns:

- If consistently enforced, they have the potential to affect a significant number of students. Recent surveys of K -8 students indicate that approximately one in five students admit to bullying their peers periodically (Melton et al., 1998). Even if policies are limited to physical bullying, the numbers of affected students are still significant.
- Threats of severe punishment, such as suspension or expulsion, may actually discourage students and adults from reporting incidents of bullying they observe.
- Bullying can be an early marker of other problem behaviors. Children who frequently bully their peers are at risk of engaging in other problem behaviors, such as truancy, fighting, theft and vandalism. Students who bully are in need of positive, pro-social role models, including adults and other students at their schools.

Although suspension and expulsion of students may be necessary in a very small number of cases to maintain a safe learning environment, these practices are not recommended as a broad-based bullying prevention/ intervention strategy.

Conflict Resolution/Peer Mediation

Conflict resolution and peer mediation are common strategies to deal with conflicts among students. Many schools also use peer mediation and conflict resolution to address bullying problems, but this is not recommended, because:

- Bullying is a form of victimization not conflict. It is no more a “conflict” than are child abuse or domestic violence.
- Mediating an incident of bullying may send inappropriate messages to the students who are involved (such as “You are both partly right and partly wrong,” or “We need to work out



this conflict between you.”). The appropriate message to the student who is the target of bullying should be, “No one deserves to be bullied and we are going to do everything we can to stop it.” The message for students engaging in bullying should be, “Your behavior is inappropriate and must be stopped.”

- Mediation is unfair for students who have been the targets of bullying as it causes them further discomfort in having to face in mediation those who have been bullying them.
- There is no evidence to indicate that conflict resolution and peer mediation are effective in stopping bullying.

Group Treatment for Students Who Bully

Another strategy that some schools use to address bullying behavior involves group therapeutic treatment for students who bully others, including anger management, skill-building, empathy-building or other strategies to build the self-esteem of students who engage in bullying. Although well intentioned, these strategies are often counter-productive. Students’ behavior may further deteriorate, as group members tend to serve as role models who reinforce one another’s anti-social and bullying behaviors.

Simple, Short-Term Solutions

Often, school administrators and their staff adopt a short-term, piece-meal approach to bullying prevention. Although professional development is an important component of a bullying prevention program, a staff in-service training alone will do little to prevent bullying. Although a school-wide assembly, PTA meeting or lessons taught by individual teachers may represent important initial steps in the adoption of a comprehensive bullying prevention strategy, they will have a negligible impact on the problem if implemented in a piecemeal way. The change in the climate of the school that is required to reduce the prevalence of bullying requires a comprehensive school-wide commitment and approach.

References

- Chase, B. March 25, 2001. Bullyproofing our schools: To eliminate bullying, first we must agree not to tolerate it. www.nea.org/columns/bc010325.html.
- Cohen, R. 2002. Stop mediating these conflicts now! *The School Mediator*, February 2002. www.schoolmediation.com.
- Conolly, J.C., R. Hindman, Y. Jacobs, and W.A. Gagnon. 1997. How schools promote violence. *Family Futures* 1(1):8–11.

- Limber, S.P. 2002. Addressing youth bullying behaviors. Educational Forum on Adolescent Health: Youth Bullying, May 2002. Chicago, IL: American Medical Association.
- Limber, S.P. (in press). Implementation of the Olweus Bullying Prevention Program: Lessons learned from the field. In *Bullying in American Schools: A Social-Ecological Perspective on Prevention and Intervention*. ed. D. Espelage and S. Swearer. Mahwah, NJ: Lawrence Erlbaum.
- Limber, S.P. (in press). School and community efforts to reduce and prevent bullying. *Journal of Health Education*.
- Melton, G.B., S.P. Limber, P. Cunningham, D.W. Osgood, J. Chambers, V. Flerx, and M. Nation. 1998. Violence among rural youth: Final Report to the Office of Juvenile Justice and Delinquency Prevention. Unpublished report. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.
- Mulvey, E.P., and E. Cauffman. 2001. The inherent limits of predicting school violence. *American Psychologist* 56(10):797-802.
- Nansel, T.R., M. Overpeck, R.S. Pilla, J. Ruan, B. Simons-Morton, and P. Scheidt. 2001. Bullying behaviors among US youth: Prevalence and association with psychosocial adjustment. *Journal of the American Medical Association* 285:2094-2100.
- Olweus, D. 1993. *Bullying at school: What we know and what we can do*. NY: Blackwell.

Adapted from Take a Stand, Lend a Hand, Stop Bullying Now, a project of the Health, Resources, and Services Administration of the U.S. Department of Health and Human Services at <http://www.stopbullyingnow.org>. Reprinted with permission.



SUGGESTED LANGUAGE FOR PEOPLE WITH DISABILITIES

Inappropriate/Common Wording	Suggested Wording
[Ability]-challenged	Has a disability
Afflicted	Has a cognitive disability or difference
Birth defect	Born with...
Cerebral-palsied	Has cerebral palsy
Confined to a wheelchair, wheelchair-bound	Uses a wheelchair
Cripple	Person with a physical disability
Deaf and dumb, deaf-mute	Person who is deaf, hard of hearing or has a speech disability
Deformed	Has a physical disability or difference
Emotionally disturbed	Has a mental health disability
Epileptic	Has epilepsy
Handicapped	Person with a disability
Handicapped accessible	Accessible to people with disabilities, fully accessible
Handicapped parking	Accessible parking
Hunchbacked	Has a spinal curvature
Insane, crazy, deranged, deviant	Has a mental health disability
Invalid	Chronically ill
Lame	Walks with a limp, uses crutches
Midget, dwarf	Short-statured, little person
Mongoloid	Person with Down's syndrome
Paraplegic, quadriplegic	Has paraplegia; has quadriplegia
Retarded	Person with intellectual disability
Spastic	Has seizures, muscular dystrophy

NOTE: Use of the term "normal," "able-bodied" and "healthy" to describe people who do not have disabilities is inappropriate, as it communicates an assumption that people with disabilities are "abnormal." Use "person without a disability" or "typical" instead.

TEN THINGS STUDENTS WISH TEACHERS KNEW ABOUT NAME-CALLING & BULLYING

1. Take the issue of name-calling and teasing seriously. Rethink statements like, "Kids will be kids..." or "He didn't mean anything by that comment; he was just kidding."
2. Let students know that you are available to talk to them. If possible, set aside ten minutes of class time each week to discuss issues that students want to bring up. Get to know students as individuals.
3. Take time to listen. Don't try to "fix" a situation before you have taken time to listen carefully. Avoid making the situation worse by blaming the targeted student. Make sure your actions don't discourage students' honesty.
4. Don't harp on what should have been done in the past; focus on the present. Saying, "Why didn't you tell me sooner?" is not helpful.
5. Be a role model. If students observe you gossiping or exhibiting other bullying behaviors toward students, their families or colleagues, they will interpret it as permission to behave similarly. Remember that everyone, including yourself, has biases that can influence behavior, and that your words can have a strong impact.
6. Do not belittle, tear down or publicly embarrass students. Although these strategies are common in competitive sports, they are ineffective in motivating students to do better.
7. Help students learn how to become effective allies. Provide time for them to learn the range of behaviors practiced by good allies. Do not communicate the expectation that students should always directly intervene when bias incidents occur. Discuss safety concerns and brainstorm effective alternative strategies with students.
8. Acknowledge that name-calling and teasing are occurring and that being the target of these incidents can be painful. Do not downplay what a student says he or she is feeling or experiencing.
9. Be proactive. Prepare your students to respond effectively to bias incidents and become a partner to their families. Discuss name-calling and bullying and school policies that outline how these situations will be handled. Explore the different roles students can take in bias incidents – target, aggressor, bystander and ally, and help students strategize responses to situations from the perspectives of each of these roles.
10. Be discreet and whenever possible, maintain confidentiality. Some teachers announce to the class when a student is having a problem with name-calling, bullying or harassment. Whenever possible, help each student privately.

Build trust. When students feel respected, they are more likely to show respect to others. Create a classroom environment where mutual respect is a defining characteristic.



TOWARD COMMUNICATION FREE OF GENDER BIAS

Introduction

Since gendered and sexist language was first addressed by early feminists, growing attention has been paid in the media, in schools and academia and in theology to the harmful and often unintentionally negative effects of biased, gendered and non-inclusive language.

More recently, newspapers, magazines and online communication have reexamined their editorial policies so that sexist and gendered language is much less prevalent. In many churches and synagogues, phrases like "God the Father" have become "God the Creator;" and in workplaces, terms like "flight attendant" and "firefighter" have replaced the problematic "stewardess" and "fireman."

The issues still arise as people continue to address outdated and sexist language. Eliminating subtle and overt messages and replacing them with gender-neutral language can sometimes feel awkward and be confusing or inaccurate. The following guidelines can help in the transition toward a more inclusive and less gender-biased language.

4. Include all people in general references by using gender-neutral words and phrases.

One of the most subtle and potentially damaging forms of sexism is the omission of women in references that take in humanity at large. Instead of "mankind," one can say "people" or "humankind." Instead of "guys," refer to a group of people with a gender neutral term like "folks."

5. Communicate to all reference points.

Phrasing that indicates a male-only perspective or that assumes heterosexual relationships and that people fit into traditional gender norms creates an exclusive environment where many people feel unwelcome and potentially unsafe. For example, instead of saying, "employees and their wives," which implies that all workers are male and heterosexual, say "employees and their partners or spouses." In general, using gender neutral terms will be more inclusive.

3. Use collective pronouns.

Whenever possible, reword sentences to eliminate unnecessary gender pronouns. Replace masculine pronouns by rephrasing sentences in the plural or using "one" or "you," as appropriate. Instead of saying, "Everyone should bring his (or his or her) textbook to class," make the sentence plural and use the word "their," which is gender neutral: "People should bring their textbooks to class."

If you are talking about or with people who are transgender, ask what their preferred pronoun is. Better yet, to demonstrate an inclusive environment and to model inclusive language, consider asking people to indicate their preferred pronouns on their nametags or when being introduced. For example, an introduction might be: "Hi, My name is Beth and my preferred gender pronouns are she and her."

4. Refer to genders equally and make references consistent.

"Mr." designates all adult males and implies no rank or marital status, whereas "Mrs." and "Miss" classifies women according to marital status. Such a distinction leads to the implication that marital status determines one's worth. Refer to women as "Ms." unless they specify a different preferred title. Also, make sure that when titles are applied, you apply them equally to men and women as well as for same-sex couples: for example, not "Mr. Brown and Julia" but "Mr. Brown and Ms. Smith" or "Ms. Martin and Traci" but Ms. Martin and Ms. Johnson"

5. Substitute neutral words for "man" and "woman" in job titles.

Words like "policeman," "chairman," "mailman," and "handyman" reinforce assumptions that women and men are restricted to certain roles and professions. They inaccurately identify and present a false image of people and their jobs. Use terms like "police officer," "chairperson or chair," "mail carrier," and "maintenance worker." Also be aware of other words which preference male perspectives, such as "man the desk." Substitute neutral terms such as "staff the desk" or "work the booth."

6. Use parallel language when referring to persons by sex.

Females over the age of eighteen are women, not girls (unless the men are referred to as boys). Women should be called "ladies" only when men are called "gentlemen." More general, non-gendered language is preferable, such as "people", "folks," "friends," or "you all." With children, address them generally as "children" or "youth/young people" rather than "boys" and "girls" so as not to reinforce the importance of their gender.

7. Grant equal respect to both women and men.

Do not trivialize either sex. Don't describe men by mental aptitudes or professional position while describing women by physical attributes or social position. One example is: "John Simon is a competent executive, and his wife Ann is charming and beautiful." You might say: "The Simons are an active and involved couple. John is a competent executive and Ann is an advocate for families in her community."

Avoid sexual innuendoes, jokes and puns. If a story can't be told without these, it shouldn't be pursued. These jokes often perpetuate gender stereotypes. Such stereotypes include depicting men as feminine or "sissies" when sensitive to feelings. "He cried like a woman" is not only inaccurate but offensive and perpetuates traditional gender norms. Similarly,



avoid portraying women as typically weak, helpless or hysterical, or men as typically strong, brave or rational.

8. Base communication on pertinent qualities, not on gender.

Most of the time, a person's gender is not relevant and does not need to be mentioned explicitly in the conversation. Avoid highlighting gender as a defining characteristic when describing a person's achievements, goals and situation. This also is important because many people's gender identity and expression do not fit into traditional gender norms. Including gendered language may intensify their discomfort.

9. Avoid labels that limit either sex.

Labels, like clichés, make communicating too simple -- the speaker doesn't have to think, and neither does the listener. Employing phrases such as "just like a man" or "just like a woman" allows people to apply their own favorite stereotypes and prejudices.

Similarly, using labels which distinguish sex such as "lady manager" or "male nurse" perpetuate a myth that certain jobs or responsibilities are reserved for men and others for women. It singles out the person who deviates from the norm and reinforces traditional gender roles. Rather than relying on stereotypes like "she handled the forklift as well as a man" or "he takes care of his children as well as any woman could," look beyond words or ideas that label and limit. Look to words without constricting labels and narrow limits, ones which foster achievement for every person.

WHAT CAN BE DONE ABOUT NAME-CALLING AND BULLYING? SOME BEST PRACTICES

What Can Schools Do?

Policies, Procedures and Practices

- Survey students annually to better understand the climate of the school through the eyes of students.
- Review current supervision of students and increase supervision when necessary. Identify your school's "hot spots" and add staff to those areas.
- Provide adult members of the school community with training and staff development in recognizing and responding to name-calling and bullying.
- Physical bullying and continued harassment may be criminal offenses. Ensure that staff receive training in identifying and responding to hate crimes, including understanding the distinctions between bias incidents and hate crimes, and being informed about school procedures to follow when hate crimes occur.
- Establish policies that clearly specify what constitutes harassment and bullying and step-by-step procedures to respond to incidents. Consider establishing and adhering to a zero-indifference policy.
- Conduct a review of the current school discipline policies and procedures to determine if they adequately address name-calling and bullying. Make sure these policies are clearly communicated and understood by all members of the school community. Working together to create a climate where discipline is equitably and consistently enforced increases all students' feelings of safety at school.
- Gain a better understanding of the dynamics of bullying by maintaining accurate records of bullying incidents that occur. Include information on the parties involved, details of the incident, how it was brought to the attention of school administration and any actions taken. Create a process to periodically review these records.
- Prominently display around the school, policies and behavior standards for students that promote respect and clearly state rules against bullying behavior.

Working With Parents and the Community

- Conduct a family awareness campaign. Clearly communicate the school's policies on name-calling and bullying to students' caregivers.
- Listen to parents when they make comments or complaints about bullying occurrences. Inform them of steps that will be taken to address their concerns.



- Inform parents if their child has been involved in an incident of bullying. Explain what steps are being taken at school and suggest ways parents can reinforce the school's response at home.
- Whenever possible, involve members of the community in efforts to address bullying.

Working With Students

- Provide students with opportunities to develop cooperative learning and conflict resolution skills, both as independent opportunities and as part of routine instructional methods.
- Provide students who engage in bullying behaviors with opportunities to discuss these behaviors with counseling staff and to develop more effective strategies for managing peer relationships.
- Avoid focusing efforts to eliminate bullying on a few student offenders. Understand and communicate the expectations for all members of the school population to participate in creating positive change. Those people not directly involved in bullying are often bystanders who can become active allies by supporting those targeted by bullying.
- Implement strategies to increase student reporting of bullying. Secure "share boxes" or create a specific email address where students can leave anonymous notes for administrative staff about incidents or problems that occur in the school.
- Offer an "ally-building" course for students to strengthen their skills, teach techniques to prevent or respond to future incidents and build self-esteem.
- Engage students in a campaign to develop a school motto that communicates a commitment to address bullying, e.g., "All students should feel safe in all areas of the school at all times."
- Organize a team or club for students to take action against name-calling and bullying and to develop skills to be allies to targeted students, e.g., "friendship groups."
- Help students develop informal ways to build peer support.
- Develop a system to reinforce pro-social behavior, e.g., "Caught you caring" or "good deed stars," which are especially effective for younger students.

What Can Individual School Staff Do?

- Do not let incidents of bullying or harassment occur in your presence without taking action.
- Do not assume you know the needs of the person being targeted by bullying. Ask and be responsive to the target's needs.
- Never blame the target. Reinforce that the incident is not the target's fault.
- Never tell a target to ignore the harassment.
- Encourage students who are directly involved or who witness incidents of name-calling and bullying to talk to you or another adult staff. Establish safe spaces for communication and listen before responding.

- Set a good example with your own behavior in and out of the classroom. Don't use sarcasm, mean-spirited humor or other behaviors that could be misconstrued as bullying by students.
- Use anti-bias curriculum that promotes respect, fairness and cooperative learning.
- Add to your core curricula, lessons and activities that build empathy and promote anger management, conflict resolution and communication skills.
- Develop an anti-bias learning environment by selecting curriculum and resources that promote diversity and respect for differences.
- Teach students the difference between being assertive and being aggressive.
- Be a role model and mentor.
- Develop a classroom action plan to ensure that students know what to do when they observe an incident of name-calling or bullying.
- Work with students to develop ground rules for your classroom.
- Help students to develop skills to become allies to other students.
- Recognize and reward ally behaviors when you see them.

What Can Students Do?

- Talk to an adult about what you are experiencing or witnessing.
- Join or start a club that promotes diversity and respect.
- Join or start a club that stands up for students who are targets of bullying and against bullying behaviors.
- Be an ally to targeted students.
- Build a team of peer supporters.
- Befriend a shy student.
- Offer words of kindness and support to targets of bullying.
- Speak out against biased or bullying behaviors you witness.
- Help fellow students move from being bystanders to taking action.
- Express disapproval of bullying behavior by not joining in the laughter or teasing and by refusing to spread rumors or gossip.
- Be a role model.

Adapted from Take a Stand, Lend a Hand, Stop Bullying Now, a project of the Health, Resources, and Services Administration of the U.S. Department of Health and Human Services at <http://www.stopbullyingnow.org>. Reprinted with permission.



Exhibit 2

JOINT STATEMENT OF THE PARTIES ON SETTLEMENT OF THE *T.E. v. PINE BUSH CENTRAL SCHOOL DISTRICT ET AL* LITIGATION

The Pine Bush Central School District and five former or current students today jointly announced the settlement of a federal civil rights action filed in March of 2012.

After several years of investigation, the parties came together to reach a resolution based on a comprehensive plan to address anti-Semitic harassment allegations in the school system and the District's commitment to continue its efforts at strengthening tolerance and anti-bullying initiatives.

Anti-Semitic harassment is wrong. The District will never condone anti-Semitic slurs or graffiti, Holocaust 'jokes,' or physical violence. No family should have to experience the hurt and pain that bullying and name-calling can cause children to endure because of their religious, national or cultural identity.

In recent years, the District has undertaken a number of steps to supplement its anti-harassment and tolerance programs including working with the Anti-Defamation League to enhance its curriculum on tolerance. As part of the settlement, the District announced that it would further its initiatives to address anti-Semitism in the schools.

The District has committed to reforming its policies and procedures to improve monitoring, addressing and responding to anti-Semitic harassment. In addition, the District will continue to develop a thorough curriculum for students and faculty that promotes a better understanding of the roots of intolerance. The District will clarify the role and responsibility of the Title VI coordinator and work closely with families to ensure that affected students will receive appropriate supports.

Protecting its students from acts of bullying, harassment, intimidation and threats, is one of the School District's highest priorities. With vigilant and consistent education and training, the School District can continue to provide students with a safe learning environment and the necessary tools to prepare them to be productive members of an increasingly global and diverse society.